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State Board
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Laws relating to factories,
workshops, and bakeries
Ordinances of the City of Hoboken
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BUILDING CODE

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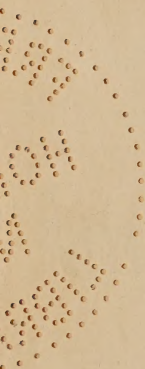
CITY OF HOBOKEN

...1911...



HUDSON OBSERVER JOB PRINT





AN ORDINANCE to regulate the erection of buildings, to provide for the appointment of an Inspector of Buildings and an Assistant Inspector of Buildings, and to define their powers and duties, and to provide for and establish a general Building Code.

SECTION 1.

This Ordinance is to be Known and Cited as the Building Code. The following provisions shall constitute and be known as The Building Code, and may be cited as such and presumptively provide for all matters concerning, affecting or relating to the construction, equipment, alteration, repair or removal of buildings or structures erected or to be erected in the City of Hoboken, Hudson County, New Jersey.

SECTION 2.—BUILDING CODE A REMEDIAL ORDINANCE.

This ordinance is hereby declared to be remedial and is intended to secure the beneficial interests and purposes thereof.

SECTION 3.—PRELIMINARY REQUIREMENTS.

No wall, structure, building or any part thereof shall hereafter be built or constructed nor shall the elevator work of any building premises or structure be installed, constructed or altered in the City of Hoboken except in conformity with the provisions of this Code. No building already erected or hereafter to be built in said City shall be raised, altered, built upon or moved in any manner, nor shall any elevator work be installed that would be in violation to any of the provisions of this Code or the permits issued thereunder.

SECTION 4.—PERMITS.

Before commencing or proceeding with the erection, construction, enlargement, alteration, repair or removal of any building, structure elevator work, or any part thereof, in the City of Hoboken a permit therefor shall first be obtained by the owner or his agent or the architect from the Inspector of Buildings, and it shall be unlawful to commence or proceed with any such work unless such permit shall first have been obtained.

SECTION 5.—PERMITS LIMITED.

If after a permit shall have been issued the operation called for by it shall not be begun within six (6) months of the date thereof, said permit shall be void; and before such operation can be begun a new permit shall be taken out by the owner or his agent or architect.

SECTION 6.—APPLICATION FOR PERMIT.

Application for such permit shall be made in writing to the Inspector of Buildings by the owner or his agent or architect upon blank forms furnished by the Inspector of Buildings. Such application shall be accompanied by a complete set of plans and specifications clearly showing the work to be performed; and the name of the owner and architect of such plans and drawings shall be indelibly inscribed thereon.

SECTION 7.—STATEMENTS.

The application shall be accompanied by a statement in writing sworn to before a notary public or other person authorized to administer an oath, giving the estimated cost of such building or structure, the location and intended use thereof with a pertinent description of the

land and number of lot, name of owner and street, and of each of the owners of said building, structure or premises. The aforesaid application and detailed statement shall be kept on file in the office of the Inspector of Buildings, with the plans and specifications.

In case the applicant for a permit shall fail to give the correct estimated cost of the work for which a permit is required, it shall be the duty of the Inspector to take off the quantities, make the estimates and add to the cost of such work as found to the best of his knowledge and belief.

SECTION 8.—DRAWING AND OTHER DATA.

The Inspector shall, when he deems it necessary, call for all other data, calculations and strain sheets to be submitted for all frame work. He shall require all other drawings, details and specifications, samples of materials and results to be submitted, or tests made as prescribed in other sections of this Code.

SECTION 9.—PERMIT TO INCREASE THE HEIGHT OF BUILDING.

No permit to increase the height of any building shall be issued unless the owner of said building shall furnish the Inspector of Buildings satisfactory proof of the adequate thickness of the walls or strength of the skeleton frame thereof.

When application shall be made for a permit to move, raise, enlarge or build upon any building, the Inspector of Buildings shall examine such building and make a record of its condition.

SECTION 10.—PERMIT TO ERECT PART OF BUILDING.

Nothing in this Title shall be construed to prevent the Inspector of Buildings from issuing a permit for the erection of any part of a building or structure, where plans and detailed statements have been presented for the same before the entire plans and detailed statement of said building or structure have been submitted, provided that a complete set of such plans and specifications as prescribed in this Code shall be placed on file before the foundation wall is brought to grade, or to height to receive the first tier of beams, girders or joists.

SECTION 11.—PERMITS FOR SUPERSTRUCTURE.

No permit shall be issued for the erection of the superstructure of any building above the foundation or basement wall until all copies of approval plans and specifications and details required by this Code are placed on file in the office of the Inspector of Buildings.

SECTION 12.—IMPERFECT PLANS AND SPECIFICATIONS.

If the matter mentioned in any application for a permit or in the plans and specification accompanying and illustrating the same indicate to the Inspector of Buildings that the work to be done is not clearly or specifically defined, or is imperfect, or is not in all respects in accordance with the provisions of this Code, he shall refuse to issue a permit until such application and plans and specification shall have been made to conform in every respect with the requirements thereof. A unfigured plans shall be deemed incomplete.

SECTION 13.—PERMIT, WHEN TO ISSUE.

When such applications, plans and specifications conform to the requirements of this Code, the Inspector of Buildings shall issue a permit and shall file such applications and apply to such plans and specifications an official stamp stating that the drawings and specifications have been examined by him and do comply with these regulations.

SECTION 14.—APPLICATIONS PASSED ON IN ORDER.

All applications, plans and specifications shall be dated by the Inspector of Buildings and taken up in their regular order as received, and no plans or specifications shall be passed out of their order unless buildings or structures are of a complex character which require prolonged examination and inspection.

It shall be the duty of the Inspector of Buildings to approve or reject any plan filed with him pursuant to the provisions of this section within fifteen (15) days.

SECTION 15.—PERMIT FOR STABLES OR BAKERIES.

No permit shall be given for the construction of stables, bakeries or bake shops within that portion of the City of Hoboken from the westerly line of Clinton street to the easterly boundary line of the City and from the northerly side of Fourteenth street to the southerly boundary line of the City; excepting lots facing N Court street, upon which stables may be constructed.

SECTION 16.—SPECIAL PERMITS.

The Inspector of Buildings shall not issue any certificate or permits for any occupancy of or construction on public property requiring the approval of the Council of the City of Hoboken, nor for any structure to be used, in connection with a business requiring a special license or approval of the Fire Department or Board of Health, until the applicant shall present the certificate of such Boards, or Department, that all legal requirements necessary to procure such license or occupancy have been complied with.

SECTION 17.—DEPOSIT FOR REPAIRS.

No permit shall be granted to erect or repair any building, sidewalk, vault, sidewalk elevator, lift, chute or coal hole, or for making any opening in any street or public property in connection with any building operations by which the pavement or curb in any adjoining street or thoroughfare is liable to be taken up or endangered by caving or settling, or from any other cause, until the owner has filed with the Inspector of Buildings the written certification of the Street Commissioner that a deposit has been made or an indemnity bond given for the replacement of such pavement or curb.

SECTION 18.—CHARGES FOR PERMITS.

Charges for permits shall be as follows: For ordinary repairs not exceeding in cost Fifty (\$50) Dollars, no charge. For alterations and repairs over Fifty (\$50) Dollars and not exceeding in cost Five Hundred (\$500) Dollars, One (\$1) Dollar. And One (\$1.00) Dollar additional for each additional sum of Five Hundred (\$500.00) Dollars, or any part thereof.

For each new building, cost not more than One Thousand (\$1,000) Dollars, One (\$1.00), and for each additional One Thousand Dollars of cost, the additional sum of One Dollar. For moving any building, for each block or part of a block, Five Dollars (\$5.00).

SECTION 19.—REVOCATION OF PERMITS.

When the work for which any building permit was issued is not being performed in conformity to the detailed statement, plans or specifications upon which such permit was issued, it shall be the duty of the Inspector of Buildings to notify the owner or owners, or his or their agent, in writing, that the work is being constructed in violation of the permit, and that such work must be suspended until a permit for such deviation from the detailed statement, plans or specifications shall be obtained, or that such work shall be made to conform to the detailed statement, plans and specifications upon which a permit therefor was issued. If the owner or owners, or his or their agent, fail to comply with the said notice on the service thereof, it shall be the further duty of the said Inspector to revoke said permit. Written notice of such revocation, signed by the Inspector, shall be immediately served upon the owner, agent, superintendent or contractor in charge of the work, and shall be posted on such premises and it shall be unlawful for any person to perform any work in or about said structure, building or premises after the revocation of the permit and the posting of the notice.

SECTION 20.—DEMOLISHING BUILDINGS.

When plans and detailed statements are filed with the Inspector of Buildings for the erection of a new building, if an existing building or part of an existing building is to be demolished, such fact shall be stated in the statement so filed.

In demolishing any building, story after story, commencing with the top story, shall be completely removed. No material shall be placed upon the floor of any such building in the course of demolition, but the brick, timbers and other structural parts of each story shall be lowered to the ground immediately upon the displacement.

The material to be removed shall be properly wet down to lay the dust incident to its removal.

The owner, architect, builder, or contractor for any buildings, structures, premises, wall, platform, staging or flooring to be demolished shall give not less than twenty-four hours' notice to the Inspector of Buildings of such intended demolition.

Upon main thoroughfares, when directed by the Inspector of Buildings, the contractor shall erect a shed over the entire sidewalk for the protection of the public, and shall leave the sidewalk clear and in good condition.

SECTION 21.—DEFINITIONS.—MEASUREMENT OF HEIGHT FOR BUILDINGS AND WALLS.

The height of buildings shall be measured from curb level at the center of the front of the building to the top of the highest point of the roof beams in the case of flat roofs;

And for high-pitched roofs the average of the height of the gable shall be taken as the highest point of the building.

In the case of flat roofs the measurement for height shall not preclude placing the roof beams level at the ceiling line and blocking up above the beams to get a proper pitch for water on the roofing.

In case a wall is carried on iron or steel girders or iron or steel girders and columns, or piers of masonry, the measurements, as to height for the wall, may be taken from the top of such girder.

When the walls of a structure do not adjoin the street, then the average level for the ground adjoining the walls may be taken in-

stead of the street curb level for the height of such structure.

SECTION 22.—MEASUREMENT FOR WIDTH AND DEPTH OF BUILDINGS.

For the purposes of this Code—
The greatest horizontal dimension of any building shall be considered its length.
And the next greatest horizontal dimensions its width.

SECTION 23.—CLASSIFICATION OF BUILDINGS ACCORDING TO CONSTRUCTION.

For the purpose of this code, buildings will be classified in accordance with their construction as follows:

I CLASS.—ABSOLUTELY FIREPROOF BUILDING.

When built entirely of incombustible fire and water proof material with all metal structural parts thoroughly fireproofed, and finished and trimmed with incombustible material.

II CLASS.—FIREPROOF BUILDINGS, SHORT FLOOR SPANS.

When similar in construction to buildings of the I Class except that the finished floors, frames, doors, windows and the usual trim of rooms are of ordinary wood construction with no open air spaces behind wood.

III CLASS.—FIREPROOF BUILDINGS.—LONG FLOOR SPANS.

With wall or metal structural frames similar to those of the II Class, but the floor fireproofing is made in long flat spans and panels of reinforced or armored concrete, and having incombustible partitions. Also buildings constructed with trussed or reinforced concrete frames.

IV CLASS.—SEMI-FIREPROOF OR COMPOSITE BUILDINGS.

When the enclosing walls and roof covering are made of incombustible materials with doors, windows and frames of wood, but with interior walls of brick; or, with columns and girders made of fireproofed iron or steel and with the floor construction of wooden beams, joists and ceiling furred with fireproof material and all concealed spaces fire stopped and all sub-divisions made with incombustible partitions, or if the interior is of mill construction as in Class V, wood columns containing one hundred (100) square inches or more need not be fireproofed. In buildings of this class a single thickness of metal lath or furring and hard incombustible plaster will be deemed sufficient protection.

V CLASS.—MILL CONSTRUCTED BUILDINGS.

When the enclosing walls and roof covering are made of incombustible materials, with doors, windows and frames of wood, but with interior walls of brick or columns and girders and the floor and roof systems composed of heavy timbers and planked with no concealed air spaces between.

VI CLASS.—ORDINARY BUILDINGS.

When the enclosing walls and roof coverings are similar to those of buildings of the IV and V Classes but the interior timber and iron structural parts are not protected with fire resisting covering.

VII CLASS.—FRAME BUILDINGS.

When the enclosing and interior partition walls are constructed entirely of wood.

Wooden frames covered with a veneer will be classed as a building of the VII Class.

SECTION 24.—EXPLANATION OF TERMS.

The terms "Fireproof," "Concrete," "Mill," "Timber" or "Frame" construction when used mean that the whole or any part of a building or structure referred to shall be constructed in accordance with the conditions prescribed for the respective classes of buildings as set forth in the previous sections.

SECTION 25.—PRIVATE DWELLING, DEFINITION OF.

A private dwelling shall be taken to mean and include every building which shall be intended or designed for, or used as the home or residence of not more than two separate or distinct families or households, and in which not more than fifteen rooms shall be used for the accommodation of boarders, and no part of which structure is used as a store or for any business purpose.

Two or more such dwellings may be connected on each story when used for boarding purposes, provided the halls and stairs of each house shall be left unaltered.

Any such building hereafter erected shall not cover more than ninety per cent. of the lot area.

SECTION 26.—LODGING HOUSE, DEFINITION OF.

A lodging house shall be taken to mean and include any house or building or portion thereof in which persons are harbored or lodged for hire for a single night or for less than a week at any one time, or any part of which is let for any person to sleep in for any term less than a week.

Any such building hereafter erected shall not cover any greater percentage of a lot than is lawful for a hotel, as specified in Section 27 of this Code.

SECTION 27.—HOTEL, DEFINITION OF.

A hotel shall be taken to mean and include every building, or part thereof, intended, designed or used for supplying food and shelter to residents or guests, and having a general public dining room or a cafe, or both, and containing also more than fifteen sleeping rooms above the first story.

An apartment hotel shall be taken to mean and include every hotel in which the apartments are rented or are intended or designed to be rented in suites, and for terms not less than one month, and in which there are restaurants, dining rooms or sewing rooms with in the apartments, but where a common dining room is provided for the use of the tenants.

Whenever any such hotel or apartment hotel building hereafter erected shall be located on any other than a corner lot or plot, it shall not cover in the aggregate more than ninety per cent. of the area of such lot or plot, and above the second-story floor level, if more than four stories in height, and one-half per cent. less for every story in height, commencing at and above the second story floor level. In case any such building is to occupy a number of lots, the Inspector of Buildings may allow the free air space proportioned herein stated to be distributed in such manner as, in his opinion, will equally as well secure light and ventilation.

SECTION 28.—AUTOMOBILE GARAGES AND SHELTERS.

(a) PRIVATE GARAGES AND SHELTERS.
—For the purposes of this Code all automobi

garages or shelters devoted exclusively to the private uses of any owner or his family, and not in conflict with any other city ordinances or further provisions of this code, may house shelter not more than two (2) automobiles containing live tanks of gasoline or other inflammable fluid, if the garage or shelter is of seventh class construction.

And not more than six (6) automobiles in any building of sixth class construction.

And all buildings sheltering more than six but not more than ten (10) such automobiles shall be of at least fifth class construction.

If such garage is more than one (1) story high, the portion used for the shelter of such automobiles shall not be less than eleven (11) feet high in the clear, well ventilated, and shall be separated from all other portions or rooms by brick walls not less than eight inches thick, with all openings therein provided with fire doors or shutters.

(b) PUBLIC GARAGES.—All garages or buildings accommodating more than ten (10) automobiles with live tanks of gasoline or other inflammable fluid, used either for private or public delivery or temporary shelter purposes, shall be deemed public garages, subject to the following regulations:

(c) CONSTRUCTION.—No building hereafter erected shall be used as a public garage nor shall any existing building be converted to such use unless the same is of at least V class construction if the number of automobiles sheltered does not exceed one hundred (100), and of at least IV Class construction if such number exceeds one hundred (100). The portion of such building sheltering the automobiles or containing the feed room shall not be less than fourteen (14) feet high in the clear, and, when located within the fire limits, the floor and ceilings of the story so sheltering over one hundred (100) such automobiles shall be of I, II or III Class fireproof construction.

(d) FIRE WALLS IN.—If a public garage is more than (1) story high the portion housing or sheltering such automobiles shall be well ventilated and be separated from all feed, work, repair or storage rooms and all stair and elevator enclosures by brick fire walls not less than twelve inches (12") thick; fire doors and shutters shall be provided for all inside and outside wall openings in such buildings.

(e) LOCATION OF.—The location of all public garages shall be regulated as prescribed in following section: No room sheltering any gasoline automobile as herein prescribed, in any private or public garage shall be located above or below the floor nearest the grade, provided that such floor is not more than five (5) feet below such grade and has no cellar underneath. When there is a cellar underneath such floor it shall extend not less than three (3) feet above the grade; such floor shall be constructed watertight and fireproof throughout.

SECTION 29.—GRIST AND SAWMILLS AND BLACKSMITH SHOPS.

No building to be used as a saw or grist mill, blacksmith shop, or shop for the working of wood or other combustible materials or for warehouse, or shop or building for the storage of materials of an inflammable nature shall be erected, nor shall any building be converted to such uses within twenty-five (25) feet of any building of the First Grade, or "Hotel," "Tenement," or "Dwelling," or "Office," except the dwelling owned by the

owner of the building to be erected for or converted to the uses aforesaid.

SECTION 30.—OFFICE BUILDING, DEFINITION OF.

An office building shall be taken to mean and include every building which shall be divided into rooms above the first story, and be intended and used for office purposes, and no part of which shall be used for living purposes, excepting only for the janitor and his family.

OCCUPATION OF AREA OF INSIDE LOT LIMITED.

Office buildings when not erected on a corner shall not cover more than ninety per cent. of the lot area at and above the second-story level.

SECTION 31.—FRAME BUILDING, DEFINITION OF.

A frame building shall be taken to mean a building or structure of which the exterior walls or a portion thereof shall be constructed of wood.

Buildings sheathed with boards, and partially or entirely covered with four inches of brick or stone work shall be deemed to be frame buildings.

Wood frames covered with metal, whether the frames are sheathed or not with boards, shall be deemed to be frame structures.

SECTION 32.—QUALITY OF MATERIALS. BRICK.

The brick used in all buildings shall be good, hard, well-burnt brick.

When old brick are used in any wall they shall be thoroughly cleaned before being used, and shall be whole and good, hard, well-burnt brick.

SAND.

The sand used for mortar in all buildings shall be clean, sharp grit sand, free from loam or dirt.

And shall not be finer than the standard sample kept in the office of the Inspector of Buildings.

SECTION 33.—LIME MORTAR.

Slaked lime mortar shall be made of one part of lime paste and not more than four parts of sand.

All lime used for mortar shall be thoroughly burnt, of good quality, and properly slaked before it is mixed with the sand.

CEMENT MORTAR.

Cement mortar shall be made of cement and sand in the proportion of one part of cement and not more than three parts of sand, and shall be used immediately after being mixed.

The cement and sand are to be measured and thoroughly mixed before adding water.

Cements must be very finely ground and free from lumps.

CEMENT AND LIME MORTAR.

Cement and lime mortar mixed shall be made of one part of slaked lime paste, one part of cement and not more than three parts of sand to each, the quality of the respective parts to accord with the requirements before stated in this section.

SECTION 34.—CEMENTS.

Portland cement shall be held to mean such cement as shall consist of a mixture of argillaceous and calcareous materials, calcined

together and subsequently ground to an impalpable powder, and thereafter to receive no addition of other substances except a maximum of two per cent. of gypsum or lime for the purpose of regulating the setting, and when tested neat, after one day set in air, be capable of sustaining without rupture a tensile strain of at least one hundred and twenty pounds per square inch, and after one day in air and six days in water shall be capable of sustaining without rupture a tensile strain of at least three hundred pounds per square inch.

Cements other than Portland cement shall be considered to mean such cement as will, when tested neat, after one day set in air, be capable of sustaining without rupture a tensile strain of at least sixty pounds per square inch, and after one day in air and six days in water be capable of sustaining without rupture a tensile strain of at least one hundred and twenty pounds per square inch.

TESTS OF CEMENTS.

Said tests are to be made under the supervision of the Inspector of Buildings, at such times as he may determine, and a record of all cements answering the above requirements shall be kept for public information.

SECTION 35.—CONCRETE.

Concrete for foundations shall be made of at least one part of cement, three parts of sand and five parts of clean, broken stone, of such size so as to pass in any way through a two-inch ring, or good clean gravel may be used in the same proportion as broken stone.

The cement, sand and stone or gravel shall be measured and mixed as is prescribed for mortar.

All concrete shall be properly rammed into place and allowed to set without being disturbed.

SECTION 36.—QUALITY OF TIMBER.

All timbers and wood beams used in any building shall be of good sound material, free from rot, large and loose knots, shakes or any imperfection whereby the strength may be impaired. And to be of such size and dimensions as the purpose for which the building is intended requires.

SECTION 37.—TESTS OF NEW MATERIALS.

New structural material of whatever nature shall be subjected to such tests to determine its character and quality as the Inspector of Buildings shall direct.

The tests shall be made under the supervision of the Inspector of Buildings, or he may direct the architect or owner to file with him a certified copy of the results of tests such as he may direct shall be made.

SECTION 38.—STRUCTURAL MATERIAL.

WROUGHT IRON.—All wrought iron shall be uniform in character, fibrous, tough and ductile. It shall have an ultimate tensile resistance of not less than 48,000 pounds per square inch, an elastic limit of not less than 24,000 pounds per square inch, and an elongation of twenty per cent. in eight inches when tested in small specimens.

STEEL.—All structural steel shall have an ultimate tensile strength of from 54,000 to 64,000 pounds per square inch. Its elastic limit shall be not less than 32,000 pounds per square inch, and test specimens, ruptured in tension, must show a minimum elongation of not less than twenty per cent. in eight inches. Rivet steel shall have an ultimate strength of from 50,000 to 68,000 pounds per square inch.

CAST STEEL.—Shall be made of open hearth steel containing one-quarter to one-half per cent. of carbon, not over eight one-hundredths of one per cent. of phosphorus, and shall be practically free from blowholes.

CAST IRON.—Shall be good foundry mixture, producing a clean, tough, gray iron. Sample bars five feet long, one inch square, cast in sand molds, placed on supports four feet six inches apart, shall bear a central load of 450 pounds before breaking. Castings shall be free of serious blowholes, cinder spots and cold shuts. Ultimate tensile strength shall be not less than 16,000 pounds per square inch when tested in small specimens.

SECTION 39.—EXCAVATIONS AND FOUNDATIONS.—EXCAVATIONS.

All excavations for buildings shall be properly guarded and protected so as to prevent the same from becoming dangerous to life or limb.

And shall be sheath-piled by the person or persons causing the excavations to be made when necessary to prevent the adjoining earth from caving in.

Plans filed with the Inspector of Buildings shall be accompanied by a statement of the character of the soil at the level of the footings.

Whenever an excavation of either earth or rock for building or other purposes shall be intended to be, or shall be, carried to the depth of more than eight feet below the curb, the person or persons causing such excavation to be made shall at all times, from the commencement until the completion thereof, if afforded the necessary license to enter upon the adjoining land and not otherwise, at his or their own expense, preserve any adjoining or contiguous wall or walls, structure or structures from injury, and support the same by proper foundations, so that the said wall or walls, structure or structures, shall be and remain practically as safe as before such excavation was commenced, whether the said adjoining or contiguous wall or walls, structure or structures are down more or less than eight feet below the curb.

If the necessary license is not accorded to the person or persons making such excavation then it shall be the duty of the owner or owners refusing to grant such license to make the adjoining or contiguous wall or walls, structure or structures, safe, and support the same by proper foundations so that adjoining excavations may be made, and shall be permitted to enter upon the premises for that purpose, when necessary, where such excavation is being made.

If such excavation shall not be intended to be, or shall not be carried to a depth of more than eight feet below the curb, the owner or owners of such adjoining or contiguous wall or walls, structure or structures, shall preserve the same from injury, and so support the same by proper foundations that it or they shall be and remain practically as safe as before such excavation was commenced, and shall be permitted to enter upon the premises for that purpose, when necessary, where such excavation is being made.

ADJOINING WALLS.

In case an adjoining party wall is intended to be used by the person or persons causing the excavation to be made, and such party wall is in good condition and sufficient for the uses of the adjoining building, then and in such case the person or persons causing the excavations to be made shall, at his or their own expense, preserve such party wall from injury and support the same by proper foundations, so that said party wall shall be and

remain practically as safe as before the excavation was commenced.

If the person or persons whose duty it shall be to preserve or protect any wall or walls, structure or structures, from injury, shall neglect or fail so to do after having had a notice of twenty-four hours from the Inspector of Buildings, then the Inspector of Buildings may enter upon the premises and employ such labor, and furnish such materials, and take such steps as, in his judgment, may be necessary, at the expense of the person or persons whose duty it is to keep the same safe and secure, to make the same safe and secure or to prevent the same from becoming unsafe or dangerous.

RETAINING WALLS.

When an excavation is made on any lot the person or persons causing such excavation to be made shall build on the adjoining lot, at his or their own cost and expense, a retaining wall to support the adjoining earth, if accorded the necessary license to enter upon the said adjoining lot, and not otherwise; and such retaining wall shall be carried to the height of the adjoining earth and be properly protected by coping. If the necessary license is not accorded to the person or persons making such excavation, then it shall be the duty of the owner or owners refusing to grant such license to build the retaining wall on his or their own property at his or their own expense without recourse to the person or persons making the excavation on the premises adjoining thereto. The average thickness of retaining walls shall be not less than one-third of the height unless the wall be buttressed or reinforced by cross-walls or when they are made of reinforced concrete. In such cases this proportion may be reduced as determined by the Inspector of Buildings.

SECTION 40.—BEARING CAPACITY OF SOIL.

Where no test of the sustaining power of the soil is made, different soils, excluding mud, at the bottom of the footings, shall be deemed to safely sustain the following loads to the superficial foot, namely:

Soft clay, one ton per square foot;
Ordinary clay and sand together, in layers wet and springy, two tons per square foot;
Loam, clay or fine sand, firm and dry, three tons per square foot;

Very firm, coarse sand, stiff gravel or hard clay, four tons per square foot, or as otherwise determined by the Inspector of Buildings.

Where a test is made of the sustaining power of the soil the Inspector of Buildings shall be notified so that he may be present, either in person or by representative. The record of the test shall be filed with the Inspector of Buildings.

When a doubt arises as to the safe sustaining power of the earth upon which a building is to be erected the Inspector of Buildings may order borings to be made, or direct to be tested the sustaining power of the soil by and at the expense of the owner of the proposed building.

SECTION 41.—PRESSURE UNDER FOOTINGS OF FOUNDATIONS.

The loads exerting pressure under the footings of foundations in buildings more than three stories in height are to be computed as follows:

For warehouses and factories they are to be the full dead load and the full live load established by Section 123 of this Code.

In stores and buildings for light manufacturing purposes they are to be the full dead load and seventy-five per cent. of the live load established by Section 123 of this Code.

In churches, schoolhouses and places of public amusement or assembly they are to be the full dead load and seventy-five per cent. of the live load established by Section 123 of this Code.

In office buildings, hotels, apartment hotels, dwellings, apartment houses, tenement houses, lodging houses and stables they are to be the full dead load and sixty per cent. of the live load established by Section 123 of this Code.

Footings shall be so designed that the loads will be as nearly uniform as possible, and not in excess of the safe bearing capacity of the soil, established by Section 40 of this Code.

SECTION 42.—FOUNDATIONS.

Every building except buildings erected upon solid rock or buildings erected upon wharves and piers on the water front shall have foundations of brick, stone, iron, steel or concrete laid not less than three feet six inches below the surface of the earth, on the solid ground or level surface of the earth, on the solid ground or level surface of rock, or upon piles or rafter timbers when solid earth or rock is not found.

PILES.

Piles of wood intended to sustain a wall, pier or post shall be so spaced as to divide the load to be carried equally over the piles and not exceed per pile the following limitations:

No wood pile under any circumstances shall be required to sustain a load exceeding 40,000 pounds.

All piles shall be driven to hard bottom or as far as may be necessary to penetrate good stiff soil.

Where piles are not driven to hard bottom their value for sustaining loads in tons shall be determined by the following formula: Twice the weight of the hammer is tons, multiplied by the height of the fall in feet, divided by the average of penetration under the last six blows in inches, plus one, provided that in no case shall the piles be less than fifty feet in length, nor shall they be loaded over 10,000 pounds, and further provided that in case piles are driven upon lands which were salt marshes now or formerly the maximum load to be allowed for any pile driven to hard bottom or penetrating into good bottom shall not exceed the following: When meadow muck constitutes less than 20 feet of the full depth of piles, 18 tons. When meadow muck constitutes between 20 and 30 feet of the full depth of piles, 15 tons. When meadow muck constitutes between 30 and 40 feet of the full depth of piles, 10 tons. When meadow muck constitutes between 40 and 50 feet of the full depth of piles, 7 tons. In making up the above total it is assumed that the piles which are driven true and perpendicular and are filled in around and between the heads and tied together with concrete or capping, the above limitations may be modified by the Inspector of Buildings in special cases or upon presentation in writing of facts and data by a competent engineer or architect showing some reasons for such modification.

The Inspector of Buildings shall be notified of the time when such test piles of wood will be driven, that he may be present, either in person or by representative.

The tops of all piles shall be cut off below the lowest water line.

When required, concrete shall be rammed down in the interspaces between the heads of the piles to a depth and thickness of not less than twelve inches, and for one foot in width outside of the piles.

CONCRETE PILES.

Piles of concrete or reinforced concrete piles may be made of concrete, either reinforced or plain.

Plain concrete piles must be molded in place by methods which are reasonably certain to secure perfect, full-sized piles; reinforced concrete piles, if properly designed to resist the shock of driving, and if driven with a cushion to lessen the shock, or if put down by a water jet may be molded, allowed to harden, and then driven or jetted into place.

In case concrete piles are used, whether reinforced or otherwise, their bearing power shall be determined by putting in one or more test piles and loading them, after the concrete is sufficiently hard.

The full working load in the structure shall not be more than one-half of the load under which the pile begins to settle.

In no case, however, shall the load on a concrete pile exceed twenty-five tons per square foot of cross-section of concrete, plus 6,000 pounds per square inch of any longitudinal steel reinforcement. Concrete piles shall always be made of mixture not leaner than one part cement, two and one-half parts sand and five parts gravel or broken stone. The gravel or stone must all be capable of passing a one-inch ring, and the concrete must be mixed by machinery, a batch at a time, and the concrete must be turned over completely at least twenty-five times. One complete revolution of the machine, if not too rapid, will count as one turning of the concrete.

RANGING AND CAPPING TIMBERS.

Where ranging and capping timbers are laid on piles for foundations they shall be of hard wood not less than six inches thick and properly joined together, and their tops laid below the lowest water line.

METAL IN FOUNDATIONS.

Where metal is incorporated in or forms part of a foundation it shall be thoroughly protected from rust by paint or asphaltum, and be thoroughly imbedded in concrete, or by such materials and in such manner as may be approved by the Inspector of Buildings.

FOOTINGS FOR COLUMNS.

When footings of iron or steel for columns are placed below the water level they shall be similarly coated, and inclosed in concrete, for preservation against rust.

LOADS ON FOUNDATIONS.

When foundations are carried down through earth by piers of stone, brick or concrete in caissons, the loads on same shall be not more than:

Fifteen tons to the square foot when carried down to rock;

Ten tons to the square foot when carried down to firm gravel or hard clay;

Eight tons to the square foot in open caissons or sheath pile trenches when carried down to rock.

FILES UNDER FRAME BUILDINGS OVER WATER.

Wood piles may be used for the foundations under frame buildings built over the water or on salt meadow or similar land, in which case the piles may project above the water a sufficient height to raise the building above high tide, and the building may be placed directly thereon without other foundation.

SECTION 43.—FOUNDATION WALLS.

Foundation walls shall be construed to include all walls and piers built below the floor of the cellar, basement or other lowest floor level, to serve as supports for walls, piers, columns, girders, posts or beams.

Foundation walls shall be built of stone, brick, Portland cement concrete, iron or steel.

If built of rubble stone, or Portland cement concrete, they shall be at least eight inches thicker than the wall next above them to a depth of ten feet below the curb level; and for every additional ten feet, or part thereof, deeper they shall be increased four inches in thickness.

If built of brick they shall be at least four inches thicker than the wall next above them to a depth of twelve feet below the curb level, and for every additional ten feet, or part thereof, deeper, they shall be increased four inches in thickness.

BASE COURSE.

The footing or base course shall be of stone or concrete, or both, or of concrete and stepped-up brickwork, of sufficient thickness and area to safely bear the weight to be imposed thereon.

If the footing or base course be of concrete the concrete shall be not less than twelve inches thick.

If of stone, the stones shall not be less than two by three feet, and at least eight inches in thickness for walls; and not less than ten inches in thickness if under piers, columns or posts.

The footing or base course, whether formed of concrete or stone, shall be at least twelve inches wider than the bottom width of walls, and at least twelve inches wider on all sides than the bottom width of said pier, columns or posts.

If the superimposed load is such as to cause undue transverse strain on a footing projecting twelve inches, the thickness of such footing is to be increased so as to carry the last with safety.

For small structures, and for small piers sustaining light loads, the Inspector of Buildings may, in his discretion, allow a reduction in the thickness and projection for footings or base courses herein specified.

All base stones shall be well bedded and laid crosswise, edge to edge.

STEPPED-UP FOOTINGS.

If stepped-up footings of brick are used in place of stone, above the concrete, the offsets if laid in single courses, shall each not exceed one and one-half inches, or if laid in double courses, then each shall not exceed three inches, offsetting the first course of brickwork back one-half the thickness of the concrete base, so as to properly distribute the load to be imposed thereon.

INVERTED ARCHES.

If, in place of a continuous foundation wall isolated piers are to be built to support the superstructure, where the nature of the ground and the character of the building in the opinion of the Inspector of Buildings make it necessary, inverted arches resting on a proper bed of concrete, both designed to transmit with safety the superimposed loads, shall be turned between the piers. The thrust of the outer piers shall be taken up by suitable wrought iron or steel rods and plates.

GRILLAGE IN FOUNDATIONS.

Grillage beams of wrought iron or steel resting on a proper concrete bed may be used. Such beams shall be provided with separator and bolts inclosed and filled solid between with concrete, and of such sizes and so arranged as to transmit with safety the superimposed loads.

HEADERS IN STONE WALLS.

All stone walls twenty-four inches or less in thickness shall have at least one header ex-

tending through the wall in every three feet in height from the bottom of the wall, and in every three feet in length, and if over twenty-four inches in thickness, shall have one header for every six superficial feet on both sides of the wall, laid on top of each other to bond together, and running into the wall at least two feet.

All headers shall be at least twelve inches in width and eight inches in thickness and consist of good flat stones.

No stone shall be laid in such walls in any other position than on its natural bed.

No stone shall be used that does not bond or extend into the wall at least six inches.

Stones shall be firmly bedded in cement mortar and all spaces and joints thoroughly filled.

SECTION 44.—WALLS, PIERS AND PARTITIONS.—MATERIALS OF WALLS.

The walls of all buildings, other than frame or wood buildings, shall be constructed of stone, brick, Portland cement concrete iron or steel or, if approved by the Inspector of Buildings, other hard, incombustible material, and the several component parts of such buildings shall be as herein provided.

All buildings shall be inclosed on all sides with independent or unpierced party walls.

SECTION 45.—WALLS AND PIERS.

In all walls of the thickness specified in this Code the same amount of materials may be used in piers or buttresses.

BEARING WALLS DEFINED.

Bearing walls shall be taken to mean those walls on which the beams, girders or trusses rest.

BEARING WALLS WITH OPENINGS.

If any horizontal section through any part of any bearing wall in any building shows more than thirty per centum area of flues and openings the said wall shall be increased four inches in thickness for every fifteen per centum, or fraction thereof, of flue or opening area in excess of thirty per centum.

BRICK AND MASONRY WORK.

The walls and piers of all buildings shall be properly and solidly bonded together with close joints filled with mortar. They shall be built to a line and be carried up plumb and straight.

The walls of each story shall be built up the full thickness to the top of the beams above.

All brick laid in non-freezing weather shall be well wet before being laid.

Walls or piers, or parts of walls and piers, shall not be built in freezing weather, and if frozen, shall not be built upon.

PIERS.

All piers shall be built of good, hard, well-burnt brick laid in cement mortar, excepting that piers fronting on a street may be built of stone.

Every pier built of brick containing less than nine superficial feet at the base supporting any beam, girder, arch or column on which a wall rests, or lintel spanning an opening over an feet and supporting a wall, shall at intervals of not over thirty inches apart in height have built into it a blue stone or granite template at least four inches thick a cast iron or steel bond plate of sufficient strength and the full size of the piers.

For piers fronting on a street bond stones to conform with the kind of stone used for the trimmings of the front may be used above the sidewalk.

Cap stones corresponding to the trimmings of the front proportioned to the weight to be car-

ried, but not less than four inches in thickness, by the full size of the pier, may be used above the sidewalk for piers fronting on a street. For the capping of all other piers cast iron plates, bluestone or granite of equal strength by the full size of the pier shall be set under all columns or girders.

Isolated brick piers shall not exceed in height ten times their least dimensions.

STONE POSTS UNDER INTERIOR COLUMNS.

Stone posts for the support of posts or columns above shall not be used in the exterior of any building.

PIERS AND WALLS OF COURSED STONE.

Where walls or outside piers are built of coursed stones, with dressed level beds and vertical joints, the Inspector of Buildings shall have the right to allow such walls or piers to be built of a less thickness than specified for brickwork, but in no case shall said walls or piers be less than three-quarters of the thickness provided for brickwork.

HEADING COURSES IN BRICK WALLS.

In all brick walls every fifth course shall be heading course, except where walls are faced with brick in running bond, in which latter case every sixth course shall be bonded into the backing by cutting the course of the face brick and putting in diagonal headers behind the same, or by splitting the face brick in half and backing the same with a continuous row of headers.

If brick walls are laid in Flemish bond all headers must be full headers, if possible. Where this is not possible the headers of every fifth course must be full headers.

ASHLAR.

Stone used for the facing of any building, and known as ashlar, shall be not less than four inches thick.

Stone ashlar shall be anchored to the backing and the backing shall be of such thickness as to make the walls, independent of the ashlar, conform as to the thickness with the requirements of this Code.

Unless the ashlar be at least eight inches thick and bonded into the backing, and then it may be counted as part of the thickness of the wall.

Iron ashlar plates used in imitation of stone ashlar on the face of a wall shall be backed up with the same thickness of brickwork as required for a brick wall without ashlar.

SECTION 46.—MORTAR FOR WALLS AND ASHLAR.

All foundation walls, isolated piers, parapet walls and chimneys above roofs shall be laid in cement mortar.

But this shall not prohibit the use in cold weather of a small proportion of lime to prevent the mortar from freezing.

All other walls built of brick or stone shall be laid in lime, cement, or lime and cement mortar mixed.

The backing up of all stone ashlar shall be laid up with cement mortar, or cement and lime mortar mixed, but the back of the ashlar may be parged with lime mortar or coated asphaltum varnish to prevent discoloration of the stone.

SECTION 47.—LIMITING THE HEIGHT OF BUILDINGS.

No non-fireproof building or structure hereafter erected shall exceed sixty-five feet in height, nor the heights specified for non-

fireproof buildings of the several respective classes mentioned in Section 119 of this Code.

No building, or structure hereafter erected, except a church spire, shall exceed in height two and one-half times the width of the widest street upon which it stands, but in no case shall any building be used above the ground floor as warehouses or stores for the storage or sale of merchandise or for factory purposes shall it exceed one hundred feet in height.

Such height shall be the perpendicular distance measured in a straight line, taken at the center of the facade of the building, from the curb level to the highest point of the roof beams, not including in such measurement of height cornices which do not extend more than five feet above the highest point of the roof beams nor inclosures for the machinery of elevators which do not exceed fifteen feet in height, or inclosures for tanks which do not exceed twenty feet in height above the roof beams and do not exceed in united area ten per centum of the area of the roof.

SECTION 48.—WALLS FOR DWELLING HOUSE CLASS.

The expression "walls for dwelling house class" shall be taken to mean and include walls for the following buildings:

Apartment Houses,
Apartments Hotels,
Asylums,
Club Houses,
Convents,
Dormitories,
Dwellings,
Hospitals,
Hotels,
Laboratories,
Lodging Houses,
Parish Buildings,
Schools,
Studios,
Tenements.

For buildings hereafter erected in the dwelling house class, the minimum thickness of all independent surrounding and dividing walls in the same, carrying the loads of floors and roofs, shall be made in accordance with the following table:

DWELLING-HOUSE CLASS BRICK WALLS. (Minimum thicknesses in inches.) Basement

Height.	Stone	Brick	Stories									
One story.....	16	12	12									
Two stories....	20	12	12	12								
Three stories...	20	12	12	12	12							
Four stories....	20	16	12	12	12	12						
Five stories....	20	16	12	12	12	12	12					
Six stories....	24	20	16	12	12	12	12	12				
Seven stories...	24	20	16	16	12	12	12	12	12			
Eight stories...	28	24	20	16	16	16	16	12	12	12		
Nine stories....	28	24	20	20	16	16	16	16	12	12	12	
Ten stories....	32	28	24	20	20	20	16	16	16	12	12	12

NOTE.—The table above for thicknesses of walls is based upon a minimum size of brick of about 7½x3½x2¼ inches. Sizes of bricks are variable in different sections of the United States.

When the above walls are used for party walls in non-fireproof buildings the ends of the beams shall rest on corbeled ledges, or when entering the twelve-inch sections of the walls shall be staggered. If the beams do not rest on corbeled ledges, or are not so staggered, the twelve-inch sections of the walls shall be increased to not less than sixteen inches in thickness.

When used for bearing party walls in fireproof buildings no portions of the walls shall be less than sixteen inches in thickness.

If any story exceeds the height stated in Section 52 of this Code the thickness of walls shall be increased as stated in said section.

BRICK PARTITION WALLS IN DWELLING HOUSES EXCEEDING TWENTY-SIX FEET IN WIDTH.

All non-fireproof buildings, except dwelling houses, erected under this section, exceeding twenty-six feet in width, shall have brick fore and aft partition walls on first floor. Dwelling houses exceeding twenty-six feet in width shall have fore and aft partitions filled with brick, plaster block or other incombustible material on first floor.

PARTITION WALLS.

Eight-inch partition walls may be built to support the beams in such buildings when the distance between the main or bearing walls is not over thirty-three feet;

If the distance between the main or bearing walls is over thirty-three feet the brick partition wall shall be not less than twelve inches thick;

Provided, that no clear span is over twenty-six feet.

LIMITING THE HEIGHT FOR A SINGLE THICKNESS OF WALL.

No section of a wall of the same thickness shall exceed, measuring vertically, the height provided elsewhere in this section and in Sections 49 and 52 of this Code.

IRON COLUMNS AND GIRDERS INSTEAD OF PARTITION WALLS.

This section shall not be construed to prevent the use of iron or steel girders, or iron or steel girders and columns when properly insulated, as provided in Section 120 of this Code, or piers of masonry, for the support of the walls and ceilings over any room which has a clear span of more than twenty-six feet between walls, in such buildings as are not constructed fireproof.

Nor to prohibit the use of iron or steel girders, or iron or steel girders and columns in place of brick walls in buildings which are to be used for residence purposes when constructed fireproof and insulated.

CLEAR SPAN THICKNESS.

If the clear span is to be over twenty-six feet then the bearing walls shall be increased, four inches in thickness for every twelve and one-half feet or part thereof that said span is over twenty-six feet.

Or shall have instead of the increased thickness such piers or buttresses as, in the judgment of the Inspector of Buildings, may be necessary.

SECTION 49.—WALLS FOR WAREHOUSE CLASS.

The expression "walls for warehouse class" shall be taken to mean and include walls for the following buildings:

Armories.
Barns.
Breweries.
Carriage Houses.
Churches.
Cooperage Shops.
Court Houses.
Factories.
Foundries.
Garages.
Jails.
Lofts.
Libraries.
Light and Power Houses.
Machine Shops.

Markets.
Mills.
Museums.
Observatories.
Office Buildings.
Police Stations.
Printing Houses.
Public Assembly Buildings.
Pumping Stations.
Railroad Buildings.
Refrigerating Houses.
Slaughter Houses.
Stables.
Stores.
Sugar Refineries.
Theatres.
Warehouses.
Wheelwright Shops.

For buildings hereafter erected in the warehouse class twenty-five feet or less in width between walls or bearings, the minimum thickness of all independent surroundings or dividing walls in the same carrying the loads of floors and roofs shall be made in accordance with the following table:

WAREHOUSE CLASS—BRICK WALLS.

(Minimum Thicknesses in Inches.)

Basement

Height.	Stone		Brick		Stories									
					1	2	3	4	5	6	7	8	9	10
One Story.....	20	16	12	12										
Two Stories....	20	16	12	12										
Three Stories..	20	16	12	12										
Four Stories...	24	20	16	16	16	12								
Five Stories...	28	24	20	16	16	16	12							
Six Stories...	32	28	24	20	20	16	16	12						
Seven Stories..	32	28	24	24	20	20	16	16	12					
Eight Stories...	36	32	24	24	24	20	20	16	16	12				
Nine Stories...	36	32	28	24	24	24	20	20	16	16	12			
Ten Stories...	36	32	28	28	24	24	24	20	20	16	16	12		

Note.—The above table for thicknesses of walls is based upon a minimum size of brick of about $7\frac{1}{2} \times 3\frac{1}{2} \times 2\frac{1}{4}$ inches. Sizes of bricks are variable in different sections of the United States.

When the above walls are used for party walls in non-fireproof buildings, the twelve-inch section of the walls shall have corbeled edges to carry the ends of the beams or be increased in thickness to not less than sixteen inches, and the beams entering the walls shall be staggered. If the beams do not rest on corbeled ledges or are not so staggered, the twelve and sixteen-inch sections of the wall shall be increased to not less than twenty inches.

When used for bearing party walls in fireproof buildings no portion of the walls shall be less than sixteen inches in thickness.

If any story exceeds the height stated in Section 52 of this Code the thickness of walls shall be increased as stated in said section.

CLEAR SPAN THICKNESS.

If there is to be a clear span of over twenty-five feet between the bearing walls, such walls shall be four inches thicker than in this section specified, for every twelve and one-half feet, or fraction thereof, that said walls are more than twenty-five feet apart, or shall have instead of the increased thickness such piers or buttresses as, in the judgment of the Inspector of Buildings, may be necessary.

WALLS FOR PUBLIC BUILDINGS.

The walls of buildings of public character shall be not less than in this Code specified for warehouses with such piers or such buttresses or supplemental columns of iron or steel properly insulated as provided in Section 120 as, in the judgment of the Inspector of

Buildings, may be necessary to make a safe and substantial building.

SECTION 50.—PARTITION WALLS OR GIRDERS AND COLUMNS.

In all stores, warehouses and factories over twenty-five feet in width between walls there shall be brick partition walls, or girders supported on iron, steel or wood columns or piers of masonry. When such girders or columns are of iron or steel they shall be properly insulated as provided in Section 120 of this Code.

FLOOR AREAS IN STORES, WAREHOUSES.

FACTORIES AND OTHER BUILDINGS.

In all stores, warehouses or factories, in case iron, steel or wood girders, supported by iron, steel or wood columns or piers of masonry, are used in place of brick partition walls, the building may be fifty-five feet wide and two hundred feet deep, when extending from street to street, or when otherwise located may cover an area of not more than eight thousand superficial feet; when a building fronts on three streets it may be one hundred feet wide and two hundred feet deep, or if a corner building fronting on two streets, it may cover an area of not more than twelve thousand five hundred superficial feet, but in no case wider nor deeper, nor to cover a greater area, except in the case of fireproof buildings.

In the rear of every building of the warehouse class hereafter erected there shall be an unobstructed space not less than ten feet in depth, running the width of the entire lot.

Such measurement may be taken at the level of the second story.

When more than two fireproof or non-fireproof buildings communicate, although protected by double standard fireproof doors, they shall be provided with a system of approved automatic sprinklers where occupied as stores, warehouses and factories.

Openings in the brick fire walls of buildings specified in this section shall in no case exceed eight feet in width, nor more than ten feet in height, and above each such opening there shall be a curtain wall between the top of the opening and the ceiling line of at least three feet. The openings shall be provided with approved automatic self-closing standard fireproof doors on both sides of the wall.

SECTION 51.—INCREASED THICKNESS OF WALLS FOR BUILDINGS MORE THAN TWO HUNDRED AND FIVE FEET IN DEPTH.

All buildings, not excepting dwellings, that are over two hundred and five feet in depth, without a cross wall or proper piers or buttresses, shall have the side or bearing walls increased in thickness four inches more than is specified in the respective sections of this Code for the thickness of walls for every two hundred and five feet, or part thereof, that the said buildings are over two hundred and five feet in depth.

REDUCED THICKNESS FOR INTERIOR WALLS.

In case the walls of any building are less than twenty-five feet apart, and less than forty feet in depth, or there are cross walls which intersect the walls, not more than forty feet distant or piers or buttresses built into the walls, the interior walls may be reduced in thickness in just proportion to the number of cross walls, piers or buttresses, and their nearness to each other; provided, however, that this clause shall not apply to walls below fifty-five feet in height, and that no such

wall shall be less than twelve inches thick at the top, and gradually increasing in thickness by set-offs to the bottom.

The Inspector of Buildings is hereby authorized and empowered to decide (except where herein otherwise provided for) how much the walls herein mentioned may be permitted to be reduced in thickness without endangering the strength and safety of the building, according to the peculiar circumstances of each case.

SECTION 52.—HEIGHT OF STORIES.

The height of stories for all given thicknesses of walls shall not exceed—

First Story.....16 feet in the clear
Second Story.....14 feet in the clear
Third Story.....12 feet in the clear
Fourth and upper stories..11 feet in the clear

And if any story exceeds the foregoing heights, the walls of any such story and all walls below that story shall be increased four inches in thickness.

The height of a story shall be perpendicular distance from the top of the finished floor in one story to the under side of the finished ceiling in the same story.

MEANING OF STORIES.

The first story shall be taken to mean the story the floor of which is first above the basement.

The upper stories shall be taken to mean the stories the floors of which are above the first story and numbered in regular succession, counting upwards.

MEANING OF BASEMENT AND CELLAR.

A basement shall be taken to mean that portion of a building the floor of which is below the curb level at the center of the front of the building more than one foot, and not more than three-fourths of the height of said portion measuring from floor to ceiling.

A cellar shall be taken to mean the lowest portion of a building the floor of which is below the curb level at the center of the front of the building more than three-fourths of the height of said portion measuring from the floor to the ceiling.

SECTION 53.—INCLOSURE WALLS FOR SKELETON STRUCTURES.

Walls of brick built in between iron or steel columns and supported wholly or in part on iron or steel girders.

Shall be not less than twelve inches thick for sixty-five feet of the uppermost height thereof, or to the nearest tier of beams to that measurement, in any building so constructed.

And the lower section of sixty feet or to the nearest tier of beams to such vertical measurement, or part thereof, shall have a thickness of four inches more than is required for the section next above it down to the tier of beams nearest to the curb level;

And thence downward, the thickness of walls shall increase in the ratio prescribed in Section 43 of this Code.

REDUCED THICKNESS FOR ADJOINING WALLS.

When two independent buildings of skeleton type of construction and of the same height adjoin each other, the thickness of the said independent walls above the foundations for such sections where they adjoin may be not less than eight inches.

SECTION 54.—CURTAIN WALLS.

Curtain walls shall be taken to mean walls built in the interior of a building between piers or iron or steel columns, and being non-bearing walls—

Shall be not less than twelve inches thick for sixty-five feet of the uppermost height thereof or nearest tier of beams to that height.

And increased four inches for the lower section of sixty feet or nearest tier of beams to that height;

And thence downward the thickness of walls shall increase in the ratio prescribed in Section 26 of this Code.

SECTION 55.—EXISTING PARTY WALLS.

Walls heretofore built for or used as party walls, whose thickness at the time of their erection was in accordance with the requirements of the then existing laws, but which are not in accordance with the requirement of this Code, may be used if in good condition, for the ordinary uses of party walls, provided the height of the same be not increased more than six feet above the level of the existing roof.

SECTION 56.—LINING EXISTING WALLS

In case it is desired to increase the height of existing party or independent walls which are less in thickness than required under this Code, excepting as above provided, the same shall be done by a lining of brickwork to form a combined thickness with the old wall of no less than four inches more than the thickness required for a new wall corresponding with the total height of the wall when so increased in height.

The said lining shall be supported on proper foundations.

And carried up to such height as the Inspector of Buildings may require.

No lining shall be less than eight inches in thickness, and all lining shall be laid up in cement mortar and thoroughly anchored to the old brick walls with the suitable wrought iron anchors, placed two feet apart and properly fastened or driven into the old walls in rows alternating vertically and horizontally with each other, the old walls being first cleaned of plaster or other coatings where any lining is to be built against the same.

No rubble stone wall shall be lined except after inspection and approval by the Inspector.

SECTION 57.—WALLS OF UNFINISHED BUILDINGS.

Any building, the erection of which was commenced in accordance with specifications and plans submitted to and approved by the Inspector of Buildings prior to the passage of this Code, if properly constructed, and in safe condition, may be completed or built upon in accordance with the requirements of law, as to thickness of walls in force at the time when such specifications and plans were approved.

SECTION 58.—WALLS TIED, ANCHORED AND BRACED.

In no case shall any wall or walls of any building be carried up more than two stories in advance of any other wall, except by permission of the Inspector of Buildings.

And this prohibition shall include the inclosure walls for skeleton buildings.

The front, rear, side and party walls shall be properly bonded together or anchored to each other every six feet in their height by wrought iron tie anchors not less than one and

half inches by three-eighths of an inch in size, and not less than twenty-four inches in length.

The side anchors shall be built into the side or party walls not less than sixteen inches and into the front and rear walls, so as to secure the front and rear walls to the side, or party walls, when not built and bonded together.

All exterior piers shall be anchored to the beams or girders on the level of each tier.

WALLS TO BE BRACED.

The walls and beams of every building, during the erection or alteration thereof, shall be strongly braced from the beams of each story, and, when required, shall also be braced from the outside, until the building is inclosed.

The roof tier of work beams shall be safely anchored with plank or joist to the beam of the story below until the building is inclosed.

SECTION 59.—ARCHES AND LINTELS.

Openings for doors and windows in all buildings shall have good and sufficient arches of stone, brick or terra cotta, well built and keyed with good and sufficient abutments, or lintels of stone, iron or steel of sufficient strength, which shall have a bearing at each end of not less than five inches on the wall.

INSIDE LINTELS.

On the inside of all openings in which lintels shall be less than the thickness of the wall or be supported there shall be timber lintels, which shall rest at each end not more than three inches on any wall, which shall be chamfered at each end, and shall have a suitable arch turned over the timber lintel.

Or the inside lintel may be of cast iron or wrought iron or steel, and in such case stone blocks or cast iron plates shall not be required at the ends where the lintel rests on the walls, provided the opening is not more than six feet in width.

MASONRY ARCHES.

All masonry arches shall be capable of sustaining the weight and pressure which they are designed to carry, and the stress at any point shall not exceed the working stress for the material used, as given in Section 131 of this Code.

The rods shall be used where necessary to secure stability in accordance with current rod practice.

SECTION 60.—PARAPET WALLS.

All exterior and division or party walls over fifteen feet high, excepting where such walls are to be finished with cornices, gutters or crown moldings, shall have parapet walls not less than eight inches in thickness and carried two feet above the roof.

But for warehouses, factories, stores and other buildings used for commercial or manufacturing purposes the parapet walls shall be not less than twelve inches in thickness and carried three feet above the roof.

And all such walls shall be coped with stone terra cotta or cast iron.

SECTION 61.—HOLLOW WALLS.

In all walls that are built hollow the same quantity of stone, brick or concrete shall be used in their construction as if they were built solid, as in this Code provided.

And no hollow wall shall be built unless the parts of same are connected by proper ties, either of brick, stone or iron, placed not over twenty-four inches apart.

SECTION 62.—HOLLOW BRICKS ON INSIDE OF WALLS.

The inside four inches of any wall may be built of hard-burnt hollow brick, properly tied and bonded by means of full header courses every sixth course into the walls, and of the dimension of the ordinary bricks.

Where hollow tile or porous terra cotta blocks are used as lining or furring for walls they shall not be included in the measurement of the thickness of such walls.

SECTION 63.—RECESSES AND CHASES IN WALLS.

Recesses for stairways or elevators may be left in the foundation or cellar walls of all buildings, but in no case shall the walls be less thickness than the walls of the fourth story, unless reinforced by additional piers with iron or steel girders, or iron or steel columns and girders, properly insulated and securely anchored to walls on each side.

RECESSES FOR ALCOVES

Recesses for alcoves and similar purposes shall have no less than eight inches of brickwork at the back of such recesses, and such recesses shall be not more than eight feet in width, and shall be arched over or spanned with iron or steel lintels, and not carried up higher than eighteen inches below the bottom of the beam of the floor next above.

CHASES FOR PIPES.

No chase for water or other pipes shall be made in any pier, and in no wall more than one-third of its thickness.

The chases around said pipe or pipes shall be filled up with solid masonry for the space of one foot at the top and bottom of each story.

No horizontal recess or chase in any wall shall be made exceeding four feet in length without permission of the Inspector of Buildings.

AGGREGATE AREA FOR RECESSES AND CHASES.

The aggregate area of recesses and chases in any wall shall not exceed one-fourth of the whole area of the face of the wall on any story, nor shall any such recess be made within a distance of six feet from any other recess in the same wall.

SECTION 64.—FURRED WALLS.

In all walls furred with wood the brickwork between the ends of wood beams shall project the thickness of the furring beyond the inner face of the wall for the full depth of the beams.

SECTION 65.—LIGHT AND VENT SHAFTS.

In every building hereafter erected or altered all the walls and partitions forming interior light or vent shafts shall be built of brick, except that when the area of any such shafts does not exceed twenty-five square feet the inclosing walls or partitions may be of such other fireproof materials as may be approved by the Inspector of Buildings.

The walls of all light or vent shafts, whether exterior or interior, hereafter erected shall be carried up not less than three feet above the level of the roof.

And the brick walls shall be coped as other parapet walls.

When the shaft is covered by a ventilating skylight of metal and glass the walls need not be carried more than two feet above the roof.

When metal louvres are used for ventilating purposes the louvres or stats shall be riveted to the metal frame.

ONE-STORY VENT SHAFTS IN PRIVATE DWELLINGS.

Vent shafts not more than twenty square feet in area to light interior bath rooms in private dwellings may be built of wood studs filled in solidly with brick or hard-burnt clay blocks, or of wood covered on all sides with metals, metal lath and plaster or plaster boards, when extending through not more than one story, and carried not less than two feet above the roof, and covered with a ventilating skylight of metal and glass.

SECTION 66.—BRICK AND HOLLOW TILE PARTITIONS.

Eight-inch brick and six-inch hollow tile and four-inch brick or four-inch hollow tile partitions, of hard-burnt clay or porous terra cotta laid up with cement mortar, may be built, not exceeding in their vertical portions a measurement of fifty for the eight-inch, thirty-six for the six-inch and twenty-four feet for the four-inch, respectively, and in their horizontal measurement a length not exceeding seventy-five feet, unless said partition walls are strengthened by proper cross-walls, piers or buttresses, or built in iron or steel framework when the latter is imbedded in or insulated by the same material of which the partition is constructed.

All such partitions shall be carried on proper foundations, or on iron or steel girders, or on iron or steel girders and columns, properly insulated, or piers of masonry.

SECTION 67.—CELLAR PARTITIONS IN RESIDENCE BUILDINGS.

One line of fore and aft partitions in the cellar or lowest story, supporting stud partitions above, in all residence buildings over twenty feet between bearing walls in the cellar or lowest story hereafter erected, shall be constructed of brick not less than eight inches thick.

Or piers of brick with openings arched over below the underside of the first tier of beams.

Or girders of wood or iron or steel and iron columns or piers of masonry may be used.

Or if iron or steel floor beams spanning the distance between bearing walls are used of adequate strength to support the stud partitions above in addition to the floor load to be sustained by the said iron or steel beams, then the fore and aft brick partition, or its equivalent, may be omitted.

Stud partitions which may be placed in the cellar or lowest story of any building shall have good solid stone, brick or cement concrete foundation walls under the same, which shall be built up to the top of the floor beams or sleepers, and the sills of said partitions shall be of locust or other suitable hard wood; but if the walls are built of brick, five inches higher than the top of the floor beams or sleepers, any wooden sill may be used on which the studs shall be set.

SECTION 68.—MAIN STUD PARTITIONS.

In residence buildings twenty-six feet (26 ft.) and over in width, where fore and aft stud partitions rest directly over each other, they shall run down between the wood floor beams and rest on the top plate of the partition below.

And shall have the studding filled in solid between the uprights to the depth of the floor beams with suitable incombustible materials.

SECTION 69.—TIMBER IN WALLS PROHIBITED.

No timber shall be used in any wall of any building where stone, brick, cement, concrete or iron are commonly used, except inside lintels, as herein provided, and brace blocks not more than eight inches in length.

SECTION 70.—TENEMENT HOUSES.

A tenement house is any house or building or portion thereof which is rented, leased, let or hired out, to be occupied as the home or residence of three families or more, living independently of each other and doing their cooking upon the premises, or by more than two families upon any floor, so living and cooking, but having a common right in the halls, stairways, yards, water closets or privies, or some of them.

SECTION 71.—TENEMENT HOUSE PERMITS.

Before issuing a permit for the erection or alteration of any tenement house the Inspector of Buildings shall require satisfactory evidence that the plans have been approved by the State Board of Tenement House Supervision, and all work of such buildings shall be done in accordance with the State laws relating thereto.

SECTION 72.—VAULTS, AREAWAYS AND CELLARS.—CELLARS TO BE CONNECTED WITH SEWERS.

Before the walls of buildings are carried above the foundation walls the cellar shall be connected with the street sewers.

Should there be no sewer in the street, or if the cellars are below water level, or below the sewer level, then provision shall be made by the owner to prevent water accumulating in the cellars to the injury of the foundations.

SECTION 73.—VAULTS UNDER SIDEWALKS.

In buildings where the space under the sidewalk is utilized a sufficient stone or brick wall, or brick arches between iron or steel beams, shall be built to retain the roadway of the street, and the side, end or party walls of such building shall extend under the sidewalk of sufficient thickness to such wall.

The roofs of all vaults shall be of incombustible material.

Openings in the roofs of vaults for the admission of coal or light, or for manholes, or for any other purposes, if placed outside the area line, shall be covered with glass set in iron frames, each unit of glass to measure not more than sixteen square inches, or with iron covers having a rough surface, and rabbeted into or made flush with the sidewalk.

SECTION 74.—AREAWAYS.

All areaways shall be properly protected with suitable railings or be covered over.

When areaways are covered over iron, or iron and glass combined, stone or other incombustible materials shall be used, and be supported on brick or stone walls or on iron or steel beams.

SECTION 75.—CELLAR FLOORS.

The floor of the cellar or lowest story in every dwelling house, apartment house, tenement house, lodging house, hotel, apartment hotel, workshop, factory, school, church, hospital and asylum hereafter erected,

Shall be concreted not less than four inches thick.

Where wood floors are to be laid in such cellars or lowest stories the sleepers shall be placed on top of the concrete.

SECTION 76.—CELLAR CEILINGS.

The ceiling over every cellar or lowest floor in every residence building, whether occupied by one or more families, more than three stories in height, hereafter erected, when the beams are of wood,

Shall be lathed with iron or wire lath and plastered thereon with two coats of brown mortar of good materials,

Or shall be covered with plaster boards not less than one-half inch in thickness, made of plaster and strong fiber, and all joints be made true and well pointed.

SECTION 77.—WOOD BEAMS, GIRDERS AND COLUMNS.—WOOD BEAMS.

All wood beams and other timbers in any wall of a building built of stone, brick, concrete or iron shall be separated from the beam or timber entering in the opposite side of the wall by at least four (4) inches of solid mason work; such separation may be obtained by corbeling or by staggering the beams.

MINIMUM THICKNESS FOR WOOD BEAMS.

No wood floor beams or wood roof beams used in any building, hereafter erected, except in a frame building, shall be of less thickness than three inches nor less depth than eight inches.

TRIMMER AND HEADER BEAMS AND TAIL BEAMS.

All wood trimmer and header beams shall be proportioned to carry with safety the loads they are intended to sustain.

The ends of all tail beams shall be properly framed into the header beams.

STIRRUP IRONS.

Every wood header beam more than four feet long used in any building shall be suitably framed and be hung to the trimmer beams in stirrup irons of proper thickness for the size of the timbers.

When it is not practicable to frame the ends of tail beams into header beams the ends of the tail beams shall be hung to the header beams by stirrup irons of proper size and strength.

BEARING FOR WOOD BEAMS.

Every wood beam, except header beams, shall rest at one end four inches in the wall or upon a girder as authorized by this Code unless the wall is properly corbelled out four inches, in which case the brickwork or corbeling shall extend to the top of the floor beams.

BEVEL ENDS FOR WOOD BEAMS.

The ends of all wood floor and roof beams, where they rest on brick walls, shall be cut to a bevel of three inches on their depth.

ENDS OF BEAMS NOT TO REST ON STUD PARTITIONS.

In no case shall either end of a floor or roof beam be supported on stud partitions except in frame buildings.

CROSS-BRIDGING FOR BEAMS.

All wood floor and roof beams shall be properly bridged with cross-bridging, and the distance between bridging or between bridging and walls shall not exceed eight feet.

BEAMS NEAR FLUES.

All wood beams shall be trimmed away from all flues and chimneys, whether the same be a smoke, air or any other flue or chimney. The trimmer beam shall be not less than eight inches from the inside face of a flue and four inches from the outside of a chimney breast, and the header beam not less than two inches from the outside face of the brick or stonework of the same.

The header beam, carrying the tail beams of the floor, and supporting the trimmer arch in front of a fireplace, shall be not less than twenty inches from the chimney breast.

SECTION 78.—ANCHORS AND STRAPS FOR WOOD BEAMS AND GIRDERS.

Each tier of beams shall be anchored to the side, front, rear or party walls, at intervals of not more than six feet apart, with good, strong, wrought-iron anchors of not less than one and a half inches by three-eighths of an inch in size, well fastened to the side of the beams by two or more nails made of wrought iron at least one-fourth of an inch in diameter.

GIRDER STRAPS AND ANCHORS.

Where the beams are supported by girders the girders shall be anchored to the walls and fastened to each other by suitable iron straps.

BEAM STRAPS.

The ends of all wood beams resting upon girders shall be butted together end to end and strapped by wrought-iron straps of the same size and distance apart, and in the same beam as the wall anchors, and shall be fastened in the same manner as said wall anchors.

Or they may lap each other at least twelve inches and be well spiked or bolted together where lapped.

WOOD ANCHOR STRIPS.

Each tier of beams, front and rear, opposite each pier shall have hardwood anchor strips dovetailed into the beams diagonally, which strips shall cover at least four beams and be one inch thick and four inches wide, but no such anchor strips shall be let in within four feet of the center line of the beams;

Or wood strips may be nailed on top of the beams and kept in place until the floors are being laid.

PIER ANCHORS.

Every pier and wall, front or rear, shall be well anchored to the beams of each story, with the same size anchors as are required for side walls, which anchors shall hook over the fourth beam.

SECTION 79.—TIMBER FOR TRUSSES.

When compression members of trusses are of timber they shall be strained in the direction of the fiber only.

When timber is strained in tension it shall be strained in the direction of the fiber only.

The working stress in timber struts of pin-connected trusses shall not exceed 75 per cent. of the working stresses established in Section 131 of this Code.

BOLTS AND WASHERS FOR TIMBER WORK.

All bolts used in connection with timber and wood beam work shall be provided with washers of such proportions as will reduce the compression on the wood at the face of the washer to that allowed in Section 131 of this Code, supposing the bolt to be strained to its limit.

SECTION 80.—MILL CONSTRUCTION.

The term "mill construction" shall apply to all floors and roofs in which no wood floor or roof beam, girder, post or other timber shall be less than eight inches in either of its cross-dimensions. The floor and roof beams shall be covered over with plank not less than three inches in thickness, spined or tongued and grooved, and for the floors there shall be laid on top of the plank in a cross-wise or diagonal direction boards not less than one inch in thickness, tongued and grooved and properly nailed. Between the floor boards and the planking there shall be placed two thicknesses of carefully laid waterproof material, and this material shall be flashed at least three inches around all walls and posts or columns and openings with moldings or base.

If wood posts are used to support mill constructed floors and roofs none shall be of smaller sectional area than one hundred square inches nor be less than ten inches in either dimension except for posts in the top story, which shall not be smaller sectional area than sixty-four square inches nor be less than eight inches in either dimension. Wood posts shall have cast-iron caps or boxes so constructed as to form a base for the next post above. The ends of the girders shall be secured to the cap or box in such manner as to be self-releasing.

SECTION 81.—CHIMNEYS, FLUES, FIRE-PLACES AND HEATING PIPES.—

All open fireplaces and chimney breasts where mantels are placed, whether intended for ordinary fireplace uses or not, shall have trimmer arches to support hearths;

And the said arches shall be at least twenty inches in width, measured from the face of the chimney breast, and they shall be constructed of brick, stone, burnt clay or concrete.

The length of a trimmer arch shall be not less than the width of the chimney breast.

Wood centers under trimmer arches shall be removed before plastering the ceiling underneath.

If a heater is placed in a fireplace, then the hearth shall be the full width of the heater.

All fireplaces in which heaters are placed shall have incombustible mantels.

No wood mantel or other woodwork shall be exposed back of a summer piece; the ironwork of the summer piece shall be placed against the brick or stonework of the fireplace. No fireplace shall be closed with wood fireboard.

SECTION 82.—CHIMNEYS, FLUES AND FIREPLACES.

All flues hereafter erected, altered or repaired, without reference to the purpose for which they may be used, shall be lined on the inside with well-burnt clay or terra cotta pipe. The firebacks of all fireplaces hereafter erected shall be not less than eight inches in thickness, of solid brickwork, nor less than twelve inches if of stone.

When a grate is set in a fireplace a lining of firebrick at least two inches in thickness shall be added to the fireback unless soapstone, tile or cast iron is used and filled solidly behind with fireproof material.

The walls of all high-pressure boiler flues shall be not less than twelve inches, and the inside four inches of such walls shall be firebrick, laid in fire mortar, for a distance of twenty-five feet in any direction from the source of heat.

All smoke flues of smelting furnaces or of steam boilers, or other apparatus which heat the flues to a high temperature, shall be built with double walls of suitable thickness for the

temperature with an air space between the walls, the inside four inches of the flues to be of firebrick, laid in fire mortar, for a distance of not less than twenty-five feet in any direction from the source of heat.

For any now existing brick building where it becomes necessary to provide a smoke flue of larger size than any flue within the building such flue may be placed on the outside of the building, but with the lot lines of same, and be made round in shape and of galvanized sheet metal, not less than one-tenth of an inch in thickness, properly riveted together at all joints, and carried up to height not less than ten feet above the roof, and be properly braced at intervals for its entire length, with flat iron bands secured with expansion bolts to the wall, leaving a free air space of not less than four inches between the outside of the metal flue and the brick wall of the building, and have a clean-out door at the bottom. This metal flue shall rest on a suitable cast-iron plate at the bottom, supported on a suitable foundation of masonry.

All smoke flues shall extend at least three feet above a flat roof, and at least two feet above the highest point of a peak roof.

On dwelling houses and stables three stories or less in height, not less than six of the top courses of a chimney may be laid in pure cement mortar and the brickwork carefully bonded and anchored together in lieu of coping.

CHIMNEY FLUES TO BE LINED WITH PIPE.

In all buildings hereafter erected every smoke flue, except the flues hereinbefore mentioned, shall be lined continuously on the inside with well-burnt clay, or terra-cotta pipe, made smooth on the inside, from the bottom of the flue, or from the throat of the fireplace, if the flue starts from the latter, and carried up continuously to the extreme height of the flue. The ends of all such lining pipes shall be made to fit close together and the pipe shall be built in as the flue or flues are carried up. Each flue shall be inclosed on all sides with not less than four inches of solid brickwork properly bonded together.

No smoke flue shall be less than eight by eight inches, nor any furnace or laundry stove flue less than eight by twelve inches, exclusive of the thickness of the lining in each case.

Flues for the use of gas stoves or gas grates may be of less dimensions within pipe or tiled-lined flues, but no such flue shall be less than four inches clear inside diameter of the pipe or tile; this shall not prevent the placing together of not more than four such gas flues within an inclosure of brickwork of the thickness hereinbefore stated, including the lining of same.

FLUES TO BE LEFT CLEAN.

All flues in every building shall be properly cleaned and all rubbish removed, and the flues left smooth on the inside upon the completion of the building.

SECTION 83.—CHIMNEY SUPPORTS.

No chimney shall be started or built upon any floor or beam of wood.

In no case shall a chimney be corbeled out more than eight inches from the wall, and in all such cases the corbeling shall consist of at least five courses of brick.

Where chimneys are supported by piers the piers shall start from the foundation on the same line with the chimney breast, and shall be not less than twelve inches on the face, properly bonded into the walls.

When a chimney is to be cut off below, in whole or in part, it shall be wholly supported by stone, brick, iron or steel.

All chimneys which shall be dangerous in any manner whatever shall be repaired and made safe, or taken down.

SECTION 84.—CHIMNEY OF CUPOLAS.

Iron cupola chimneys of foundries shall extend at least ten feet above the highest point of any roof within a radius of fifty feet of such cupola, and be covered on top with a heavy wire netting, and capped with a suitable spark arrester.

No woodwork shall be placed within two feet of the cupola.

SECTION 85.—HOT AIR FLUES, PIPES AND VENT DUCTS.

All stone or brick hot air flues and shafts shall be lined with tin, galvanized iron or burnt clay pipes.

No wood casing, furring or lath shall be placed against or cover any smoke flue or metal pipe used to convey hot air or steam.

No smoke pipe shall pass through any floor. No stove pipe shall be placed nearer than nine inches to any lath and plaster or board partition, ceiling, or any woodwork.

Smoke pipes of laundry stoves, large cooking ranges and of furnaces shall be not less than fifteen inches from any woodwork, unless they are properly guarded by metal shields; if so guarded, stove pipes shall be not less than nine inches distant.

SMOKE PIPES THROUGH ROOFS.

No smoke pipe shall pass through the roof of any building unless a special permit be first obtained from the Inspector of Buildings or the same. If a permit is so granted, then the roof through which the smoke pipe passes shall be protected in the following manner. A galvanized iron ventilated thimble of the following dimensions shall be placed: in case of a stove pipe, the diameter of the outside guard shall be not less than twelve inches, and the diameter of the inner one, eight inches larger than the smoke pipe, and for all furnaces, or where similar large hot fires are used, the diameter of the outside guard shall be not less than eighteen inches, and the diameter of the inner one, twelve inches larger in diameter than pipe. The smoke pipe thimbles shall extend from the under side of the ceiling or roof beams to at least nine inches above the roof, and they shall have openings for ventilation at the lower end where the smoke pipes enter, also at the top of the guards above the roof.

Where a smoke pipe of a boiler passes through a roof the same shall be guarded by a ventilated thimble, same as before specified, thirty-six inches larger than the diameter of the smoke pipe of the boiler.

HOT AIR PIPES IN WALLS.

Tin or other metal pipes in brick or stone walls, used or intended to be used to convey heated air, shall be covered with brick or stone at least four inches in thickness.

Woodwork near hot air pipes shall be guarded in the following manner: A hot air pipe shall be placed inside another pipe, one inch larger in diameter, or a metal shield shall be placed at least one-half inch from the hot air pipe; the outside pipe or the metal shield shall remain one and a half inches away from the woodwork, and the latter must be tin lined, or in lieu of the above protection, four inches of brickwork may be placed between the hot air pipe and the woodwork. This shall not prevent the placing of metal lath and plaster directly on the face of hot air pipes or the placing of metal and plaster directly on the face of hot air pipes or the placing of woodwork on such metal or plaster, provided the distance between

such woodwork and the metal lath is not less than seven-eighths of an inch.

No vertical hot air pipe shall be placed in a stud partition, or in a wood inclosure, unless it be at least eight feet distant in a horizontal direction from the furnace.

HOT AIR PIPES IN CLOSETS.

Hot air pipes in closets shall be double, with a space of one inch between them.

HORIZONTAL HOT AIR PIPES.

Horizontal hot air pipes shall be placed six inches below the floor beams or ceiling; if the floor beams or ceiling are plastered and protected by a metal shield, then the distance shall be not less than three inches.

DUCTS FOR VENTILATION.

Vent flues or ducts for the removal of foul or vitiated air, in which the temperature of the air cannot exceed that of the rooms, may be constructed of iron, or other incombustible material, and shall not be placed nearer than one inch to any woodwork, and no such pipe shall be used for any other purpose.

In buildings of fireproof construction ventilating shafts passing through floors shall be constructed of fireproof material not less than four inches in thickness. Any opening in such ducts or shafts shall be protected by automatically closing fire doors or by metal louvres riveted into metal frames, and such ducts shall open to the outside of the building.

VENT DUCTS IN PUBLIC SCHOOLS.

In the support or construction of such ducts, if placed in a public school room, no wood furring or other inflammable material shall be nearer than two inches to said flues or ducts, and shall be covered on all sides, other than those resting against brick, terra cotta, or other incombustible material, with metal lath plastered with at least two heavy coats of mortar, and having at least one-half inch air space between the flues or ducts and the lath and plaster.

SECTION 86.—STEAM AND HOT WATER HEATING PIPES.

Steam or hot water heating pipes shall not be placed within two inches of any timber or woodwork, unless the timber or woodwork is protected by a metal shield; then the distance shall be not less than one inch.

All steam or hot water heating pipes passing through floors and ceilings or lath and plastered partitions shall be protected by a metal tube passing entirely through floor and ceilings or partitions one inch larger in diameter than the pipe, having a metal cap at the floor and where they are run in a horizontal direction between a floor and ceiling, a metal shield shall be placed on the underside of the floor over them, and on the sides of wood beams running parallel with the said pipes.

All wood boxes or casings inclosing steam or hot water heating pipes and all wood covers to recesses in walls in which steam or hot water heating pipes are placed, shall be lined with metal.

All pipes or ducts used to convey air warmed by steam or hot water shall be of metal or other fireproof material.

All steam and hot water pipe coverings shall consist of fireproof material only.

PLUMBING PIPES.

Cold water or other exposed plumbing pipes shall have the surrounding air space closed off at the ceiling and floor line of any floor

through which any such pipe or pipes shall be carried.

SECTION 87.—GENERAL CONSTRUCTION. DUCTS FOR PIPES.

All ducts for pipes, wires and other similar purposes shall be inclosed on all sides with fireproof material.

And the opening through each floor shall be properly fire-stopped.

Any door opening in such duct shall be provided with a self-closing fireproof door.

If the area of such duct exceeds four square feet, the thickness of the fireproof inclosure shall be not less than four inches, and shall extend by a proper fireproof outlet to and through the roof.

SECTION 87a.—STUDDED-OFF SPACES.

Where walls are studded off, the space between the inside face of the wall and the studding shall be fire-stopped with fireproof material placed on the underside of the wood beams above, for a depth of not less than four inches, and be securely supported;

Or the beams directly over the studded off space shall be deafened with not less than four inches of fireproof material, which may be laid on boards cut in between the beams.

SECTION 88.—SHEATHING AND WAINSCOTING.

No wall or ceiling in any building hereafter erected other than buildings or portions of buildings occupied exclusively for dwelling or club purposes shall be covered with wood sheathing, or any combustible material.

But this shall not exclude, excepting in theatres, the use of wood wainscoting to a height not to exceed six feet when the surface of the wall or partition behind such wainscoting shall be plastered flush with the grounds and down to the floor line, thereby solidly filling the space between the wainscoting and the surface of the wall or partition with incombustible material.

SECTION 89.—ATTICS OR COCK LOFTS IN PEAKED ROOFS.

No part of any attic or cock loft below or within the trusses or rafters of a pitched roof of any building other than a dwelling house hereafter erected shall be so built as to provide an accessible place for the storage or placing therein of any article whatever. If any portion of the roof trusses, rafters or beams of a pitched roof is ceiled or plastered, or a ceiling is suspended therefrom to form a ceiling for the uppermost story of a building, the space above such ceiling shall not be used for the storage or placing of any article whatever therein, and entrance to such place shall be made inaccessible. This, however, shall not prohibit a tightly inclosed vertical well-hole through such space to ascend to the scuttle door on the roof. In any existing building it is hereby declared unlawful to use or occupy the space above the ceiling and within the trusses or rafters of a pitched roof for the storage or placing of any article whatever therein, nor shall any stove pipe or smoke flue other than a brick chimney pass through any attic or cock loft.

SECTION 90.—BAY WINDOWS.

Bay windows may be put in any building facing on any street, excepting Court street, provided that such bay windows shall not

project a greater distance than three feet beyond the building line.

SECTION 91.—STAIRS AND ENTRANCES ENTRANCE TO BASEMENT.

Every dwelling house arranged for or occupied by two or more families above the first floor, hereafter erected, shall be provided with an entrance to the basement thereof from the outside of the building.

STAIRS, NUMBER REGULATED BY AREA OF BUILDING.

In any building hereafter erected to be used as an office building, store, factory, hotel, lodging house or school, covering a lot area:

Exceeding five thousand feet and not exceeding ten thousand feet, there shall be provided at least two continuous lines of stairs remote from each other.

A fire escape built as a stairway shall be considered one line.

And every such building shall have at least one continuous line of stairs for each ten thousand feet of lot area covered or part thereof in excess of that required for ten thousand feet of area.

When any such building covers an area of lot greater than thirty thousand feet the number of stairs shall be increased proportionately, or as will meet with the approval of the Inspector of Buildings.

The width of the stairs required by this section shall in no case be less than three feet six inches in the clear between hand rails (between the hand rail and an inclosed side of the stairs, and shall be increased in width when in the opinion of the Inspector of Buildings an increased width is necessary for the safety of the occupants, up to five feet.

All such stairs shall have treads of uniform width and risers of uniform height throughout in each flight, and the risers shall be not more than eight inches in height and the treads exclusive of nosings, not less than ten inches.

The stairs shall be provided with proper banisters or railings and hand rails and kept in good repair.

SECTION 92.—ENGINEERS' STATIONARY LADDERS.

Every building in which boilers or machinery are placed in the cellar or lowest story, shall have stationary iron ladders or stairs from such story leading direct to a manhole above on the sidewalk, or other outside exit.

SECTION 93.—SLATE AND STONE TREADS OF STAIRS TO BE SUPPORTED.

In all buildings hereafter erected where the treads and landings of iron stairs are of slate, marble or other stone.

There shall be placed directly underneath each tread and each landing for their entire length and width, a wrought iron or steel plate made solid or having openings not exceeding four inches square in same, or adequate strength, but in no case less than one eighth of an inch in thickness, and in each and every case securely fastened to the string with bolts or rivets, or to the both strings and risers if the treads be more than three and one-half feet long, so that said plates shall themselves furnish a safe passageway independent of the slate, marble or other stone placed thereon.

If stairs are constructed of other fireproof material than iron, and the slate, marble or other stone treads and landings are each solidly supported for their entire length and width by the materials composing such stairs, iron support plates shall not be required.

SECTION 94.—SKYLIGHTS AND FLOOR-LIGHTS.—METAL SKYLIGHTS.

The term "skylight" shall be taken to mean and include flat, hipped, lantern, monitor, turret, dome, vertical or pitched saw-tooth constructions, and all other covers placed over openings on roofs for the admission of light. All skylights placed on or in any building shall have the frames and sash thereof constructed of metal and glazed.

All openings in roofs for the admission of light other than elsewhere provided in this Code over elevator, stair, dumbwaiter shafts and theatre stage roofs shall have metal frames and sash, glazed with wire glass not less than one-quarter inch thick, or with glass protected above and below with wire screens, of not less than No. 12 galvanized wire, and not more than one inch mesh.

SKYLIGHTS OVER PUBLIC PASSAGEWAY.

Skyllights hereafter placed in buildings of a public character over any passageway or room of public resort, shall have immediately underneath the glass thereof a wire netting unless wire glass is used.

FLOOR-LIGHTS.

All openings in floors for transmission of light to floors below shall be covered over with floor lights constructed of metal frames and bars, the glass in case to be less than three-quarters of an inch in thickness.

If any glass in same measures more than sixteen square inches the glass shall be provided with strong wire netting under same.

SECTION 95.—UNPROTECTED OPENINGS IN FLOORS AND ROOFS.

No opening in any floor or roof shall be without a solid covering of an inclosure, as provided in this Code, to prevent the communication of fire from story to story, excepting as otherwise provided in this Code for certain staircase openings which are not required to be inclosed.

SECTION 96.—PROTECTION OF PERSONS EMPLOYED ON BUILDING.—OUTSIDE SCAFFOLDS.

Whenever outside scaffolds are required to carry on the construction of buildings over eighty-five feet in height, whether the same be constructed by poles or thrust-out scaffolds, there shall be erected on its outer edge and ends an inclosure of wire netting of not over two-inch mesh, inch thick, placed not over one and one-half inches apart, well secured to uprights not less than two inches by four inches, fastened to planks or timbers, and resting on put-logs or thrust-outs. The said inclosure shall be carried up at least five feet in advance above the level on which the workmen employed on said front are working. The said thrust-outs shall be not less than three by ten of spruce or yellow pine, and to be doubled or tripled, as may be required for the load to be carried, to be thoroughly braced and secured; or said timbers can be in one stick if proportioned to the load. The flooring on thrust-outs and put-logs shall be tightly constructed with plank. This said floor and inclosure shall not be removed until a like floor and inclosure are already prepared and in position on the story above.

WINDOW OPENINGS INCLOSED.

In all buildings over eighty-five feet in height during construction or alteration the windows on each floor above the second shall be properly inclosed as soon as the story is built.

PROTECTION OF ADJOINING SKYLIGHTS AND ROOFS.

If the walls of such buildings are carried up two stories or more above the roofs of adjoining buildings, proper means shall be provided and used for the protection of skylights and roofs of such adjoining buildings.

The protection over skylights shall be of stout wire netting not over one-inch mesh on stout timbers and properly secured.

SHEDS AND INCLOSURES SUBJECT TO INSPECTION.

All such sheds and inclosures are to be subject to the inspection and approval of the Inspector of Buildings.

WHEN ADJOINING OWNER REFUSES PERMISSION TO PROTECT ROOFS AND SKYLIGHTS.

Should said adjoining owner, tenant or lessee refuse to grant permission to have said roofs and skylights so protected, such refusal by said owner, tenant or lessee shall relieve the owner of the building in course of construction from any responsibility for damage done to persons or property on or within the premises affected.

INSPECTOR OF BUILDINGS MAY SERVE NOTICE.

Should such inclosure or protection not be so erected, the Inspector of Buildings shall issue a notice to be served personally upon the owner, or authorized agent, constructing or repairing such buildings, or the owner, tenant or lessee of adjoining premises requiring such inclosure or protection, as provided in this section, specifying the manner in which same shall be erected.

INSPECTOR OF BUILDINGS EMPOWERED TO ERECT INCLOSURES AND PROTECTION.

And if such inclosures or protections are not erected, strengthened or modified as provided in such notice within three days after the service thereof, the said Inspector of Buildings shall have full power and authority to cause such inclosure to be erected on the fronts and roofs and the skylights protected.

And all expenses connected with same may become a lien on the property in interest so inclosed and protected, and which lien may be created and enforced in the same manner as now provided for in Section 154 of this Code.

SECTION 97.—PROTECTION OF PERSONS EMPLOYED ON BUILDINGS.

All contractors and owners, when constructing buildings where the floors or filling-in between the floor beams thereof are of fireproof material or brickwork, shall complete the flooring or filling-in as the building progresses, to not less than within three tiers of beams below that on which the iron work is being erected.

If such buildings do not require filling-in between the beams of floors with brick or other fireproof material, all contractors or carpenter work, or the owners of the buildings in the course of construction, shall lay the under flooring thereof on each story as the building progresses, to not less than within two stories below the one to which such building has been erected. When double floors are not to be used, such contractor, or the owner, shall keep planking over the floor two stories below the story where the work is being performed.

If the floor beams are of iron or steel, the contractor for the iron or steel work of buildings in course of construction, or the owners of such buildings, shall thoroughly plank over the entire tier of iron or steel beams on which the structural iron or steel work is being erected, except such spaces as may be reasonably required for the proper construction of such iron or steel work, and for the raising or lowering of materials to be used in the construction of such buildings; or such spaces as may be designated by the plans and specifications for stairways and elevator shafts.

SECTION 98.—INFLAMMABLES.

Buildings hereafter erected, designed or used for the storage or sale of petroleum, benzene, camphene, spirit gas, burning fluid, or spirits of turpentine, exceeding in quantity five (5) barrels of fifty (50) gallons each, or in which compounding or refining of petroleum or inflammables of like nature is done, shall be located at least one hundred (100) feet from any other building and shall be constructed as follows:

The walls shall not be less than sixteen inches thick nor more than sixteen (16) feet high; the floors shall be made of fireproof paving or concrete upon the ground, which shall be at least five (5) feet below the street grade; the roof shall be of metal or other fireproof material and have fire walls extending eighteen (18) inches high, all around, no less than twelve inches thick, and have copings of incombustible material. All doors and windows shall be provided with fireproof shutters; metal covered scuttles or automatic ventilating skylights may be used in lieu of windows.

DRY CLEANING WORKS.

(a) STORAGE.—All dry cleaning works hereafter erected and all buildings hereafter converted to such use in which gasoline, benzene, or other inflammable fluids are used for cleaning purposes, shall have metal storage tanks placed in under-ground water-tight brick pits; said pits shall be at least four (4) feet large in diameter and extend at least three (3) feet above the top of the tanks (see sections following) and, except as modified shall be located the following distance from any building or lot line:

If the capacity of the tank or tanks is two hundred and fifty (250) gallons or less, twenty-five (25) feet; if greater than two hundred and fifty (250) and not more than one thousand (1,000) gallons, fifty (50) feet; if greater than one thousand (1,000) and not more than fifteen hundred (1,500) gallons, seventy-five (75) feet; if greater than fifteen hundred (1,500) gallons, one hundred (100) feet. If the capacity of each individual storage tank does not exceed two hundred and fifty (250) gallons, and their enclosing pits are at least six (6) feet distant from each other, the above distances may be reduced by one-third ($\frac{1}{3}$), provided that no such tank shall be located at a less distance than twenty-five (25) feet from any other building.

(b) THE WASHING AND DYEING ROOMS.—The washing, assorting, preparation, still and drying rooms may be contained in one building provided the same is not over one (1) story in height and is constructed as hereinafter prescribed. Such buildings shall be located the same distance from any other building as prescribed for tanks in (a), and shall never be nearer than one-half ($\frac{1}{2}$) the given distances to the storage tanks, provided that dry cleaning establishments consisting of one or more buildings in each of which buildings not more than two hundred and fifty (250) gallons of gasoline, benzene or other inflammable fluids are used, may be located with-

in twelve (12) feet from a building containing the common, assorting, preparation and drying rooms.

(c) CONSTRUCTION OF WASHING AND DRYING ROOMS.—All buildings containing washing, still and drying rooms in which inflammable fluids are used shall be constructed as prescribed in preceding section, except that the exterior and all bearing walls shall not be less than twelve inches thick and inner partition or non-bearing division walls eight inches thick, and the story height not less than eleven (11) feet in the clear. The floor level shall be at least six (6) inches below the outer grade. The interior of the building shall be divided into compartments separated by brick walls. The assorting, preparation and drying rooms shall be vestibuled from each other and from the still, machine and hand washing rooms and other rooms where inflammable fluids are used in the process of cleaning.

(d) WASHING ROOMS.—Rooms containing washing machines or stills or cans or tubs for hand washing shall be divided into compartments by brick walls which shall be carried above the roof, be properly coped as prescribed in preceding section, and each of said compartments shall be proportioned for the use of not more than one hundred (100) gallons of inflammable fluid at any one time in any machine or machines, stills, cans or tubs placed therein. The interior of each such compartment shall be provided on at least three (3) sides with a trench constructed next to the walls, and not more than eighteen (18) inches therefrom, which trench shall be at least one (1) foot deep and of sufficient width to contain at least twice the number of gallons of fluid used therein, but no such trench shall drain into any other compartment.

No compartments containing washing machines or stills shall open into each other, but each shall be provided with a door opening to the outer air or a common vestibule, or such door may open into the hand-washing room, provided that such room is vestibuled from all other compartments in such buildings as prescribed in sub-section (c).

(e) LIGHTING.—No artificial light, except incandescent electric, shall be used in such compartment. Automatic, ventilated metal lights, shall be used to light every room or compartment in such building, but the preparation or hand washing rooms, or any rooms where persons are employed, shall have additional windows provided with fire shutters, but any windows placed in the still, machine washing and drying rooms shall be of wired glass in fixed metal sash and frames. All doors throughout said building shall be standard self-closing automatic fire doors.

(f) VENTILATION.—Each room or compartment shall be provided with a separate and efficient system of ventilation either by natural or artificial means so designed that in the event of fire each room or compartment or vestibule will be completely shut off from any other room or compartment except through fire doors.

GASOLINE AND KEROSENE OIL ENGINES FOR POWER.

Gasoline and kerosene oil engines for power shall rest on solid brick and stone foundations, built on the ground. No such engine shall be located above the ground floor of any building.

GASOLINE OR KEROSENE OIL STORAGE TANKS.

All tanks for the storage of gasoline or kerosene oil for power engines or automobiles feeds in garages or factories shall not contain more than two hundred and fifty (250) gal-

lons and be located underground at a safe distance from any building (not nearer than six (6) feet, if such building is of brick, and sixteen (16) feet if of frame construction) the top of such tank shall be below the level of the base of the engine or pump and not less than three (3) feet under ground and be solidly enclosed with earth; the location of such tanks enclosed in vaults shall be subject to such of the regulations herein relating to vaults as are not inconsistent herewith; provided that such vaults shall be unattached, well ventilated through separate flues or pipes, and have iron man-holes and covers for clearance of tanks. See preceding section.

When tanks of a larger storage capacity than two hundred and fifty (250) gallons are used, their location in reference to each other and any building or lot line shall be regulated as prescribed in sub-sections (a) and (b) of preceding section.

No such storage tank shall be located under any public sidewalk, street, alley, courtway or lawn.

GASOLINE AND OIL SUPPLY PIPES.

All pipes leading from said storage tanks shall be coupled together at every joint with air-tight couplings, metal to metal. Supply pipes shall incline toward storage tanks. The filling of storage tanks with gasoline and kerosene oil shall be done by daylight only by competent persons, and no artificial light shall be used about the place of filling, and all pipe attachments between wagons for hauling gasoline and kerosene oil, or tanks therefor, shall be fitted with tight screw connections; vent pipes with screw caps must be attached to such tanks; vent pipes shall be open during the process of filling.

VALVES.

Valves in supply pipes to engines between the engine and tank and near such tank, shall be provided; valves in supply pipes shall be closed when filling the tank and when engine is shut down for the night.

PUMPS.

Gasoline and kerosene oil shall be supplied to engines and automobile tanks by approved pumps provided with cut-off valves, overflow and by-pass so arranged that all gasoline and kerosene oil shall drain back to the storage tank so as to leave the building entirely free from gasoline or kerosene oil when the engine is not in operation. All cut-off valves for this purpose shall be outside of the building.

SECTION 99.—PERMITS AND INSPECTION.

No change shall be made in the arrangement or construction of engines operated by gasoline or kerosene oil without notice to and approval by the Inspector. Notice of intention to introduce gasoline or kerosene oil engines into buildings shall be given to the Inspector who will make, or cause to be made, an inspection of the proposed location, and if satisfactory and in accordance with the foregoing, will issue a permit therefor. The dimensions of storage tanks for gasoline and kerosene oil or rooms in which such articles are worked or stored, shall be determined by the Inspector in accordance with the provisions of this Code when not otherwise provided for in the ordinances of the city relating to explosives.

SECTION 100.—ENGINE AND FEED ENCLOSURES.

All rooms enclosing automobile feeds in garages and work shops and engines operated by gasoline or kerosene oil, or any other in-

flammable fluid, shall be constructed of brick, stone, iron or other incombustible material, and the ceilings, doors and shutters thereof shall be covered with metal. The floors of all such rooms, and all rooms in which automobiles containing live tanks of inflammable fluids, are housed or sheltered, shall be provided with watertight concrete floors, scuppered to a depth of at least six (6) inches.

SECTION 101.—MISCELLANEOUS BUILDINGS.—GRAIN ELEVATORS AND COAL POCKETS.

Nothing in this Code shall be so construed as to apply to or prevent the erection of what are known as grain elevators, as usually constructed, within the limits of railroad terminal yards, provided they are not erected within one hundred feet of a public street or private property.

Nor to apply to or prevent the erection of coal pockets or coal elevators, as usually constructed, under similar conditions, including location.

ICE HOUSES.

Buildings to be used exclusively for the storage of ice may be erected in isolated localities and constructed of such materials and under such conditions as the Inspector of Buildings may prescribe.

PIER SHEDS.

Shed or buildings on piers or wharves or off the water front shall be of iron or other non-inflammable materials.

LUMBER YARDS.

It shall be unlawful to pile lumber in any yard to a greater height than thirty (30) feet above the grade of the adjoining street or alley, and when piles of lumber are situated adjacent to each other the space between the piles shall be kept entirely free of refuse, chips or blocks, and equipped with standard fire hydrants, spaced at regular distances, when deemed necessary by the Chief of the Fire Department.

When lumber yards front on streets, a proper and suitable fence shall be erected and maintained along the street line, such fences to be provided with gates or other suitable openings at intervals of at least one hundred (100) feet, to allow of easy access to lumber yard by the Fire Department should the necessity occur.

No lumber shall be piled in the open or in sheds for the purpose of storage, seasoning or drying within ten feet of any building then standing on adjoining property nor nearer to such building than one-half the height of the lumber so piled, except when such building is provided with dead brick walls next adjacent to said lumber piles or a solid brick fire wall shall be erected between such lumber piles and such adjoining property, in which case, however, lumber shall not be piled higher than six (6) feet below the top of such wall or fire wall, nor within twenty-five (25) feet of a planing mill or wood working factory in which power is generated by gas engine or electric motors. Unless such building is provided with a solid brick fire wall on the side adjacent to the lumber pile, and when such is the case no lumber shall be higher than six feet below the coping of said fire wall, nor within twenty feet of any public building, hotel, dwelling or tenement then standing upon adjoining premises. No lumber shall be piled

within three feet of the line of demarcation between the premisses on which such lumber is or is to be piled and contiguous premisses.

SECTION 101-A—EXHIBITION BUILDINGS.

Buildings for fair and exhibition purposes, towers for observation purposes and structures for similar uses, whether temporary or permanent in character, shall be constructed in such manner and under such conditions as the Inspector of Buildings may prescribe.

SECTION 102.—SMOKE HOUSES.

All smoke houses shall be of fireproof construction, with brick walls, iron doors and brick or metal roof.

An iron guard shall be placed over and not less than three feet above the fire, and the hanging rails shall be of iron and an iron grating shall be placed under the first row of hanging rails and be not less than eight feet above the floor of the firepit.

The walls of all smoke houses shall be built at least three feet higher than the roof of the building in which they are located, and shall be not less than twelve inches in thickness and be coped with stone or its equivalent.

SECTION 103—HEATING APPARATUS, DRYING ROOMS, GAS AND WATER PIPES—HEATING FURNACES AND BOILERS.

A brick-set boiler shall not be placed on any wood or combustible floor or beams.

Wood or combustible floors and beams under and not less than three feet in front and one foot on the sides of all portable boilers shall be protected by a brick foundation of three courses of brickwork, well laid in mortar on sheet iron; the middle course of brickwork to be laid crosswise, and with ventilating spaces within or between the bricks of said middle course; the said sheet iron shall extend at least twenty-four inches outside of the foundation at the sides and front. A cast-iron ash pan of suitable thickness shall be placed under the boiler and shall have a flange turned up in front and on the sides four inches high; said pan shall be in width not less than the base of the boiler, and shall extend at least two feet in front of it. If a boiler is supported on a cast-iron base with a bottom of the required thickness for an ash pan, and is placed on bearing lines of brick in the same manner as specified for an ash pan, then an ash pan shall be placed in front of the said base and shall not be required to extend under it.

All lath and plaster and wood ceilings and beams, over and to a distance of not less than four feet in front of all boilers, shall be shielded with metal. Where smooth ceilings are to be protected the metal to be applied shall leave an air space of not less than one-quarter of an inch between the metal and ceiling. Where beams are exposed the metal to be applied shall follow the contour of the beams. The distance from the top of the boiler to said shield shall be not less than twelve inches, and the smoke pipe leading therefrom shall be not less than twenty-four inches.

No combustible partition shall be within four feet of the sides and back and six feet from the front of any boiler unless said partition shall be covered with metal to the height of at least three feet above the floor, and shall extend from the end or back of the boiler to at least five feet in front of it; then the distance shall be not less than two feet from the sides and five feet from the front of the boiler.

All brick hot-air furnaces shall have two covers, with an air space of at least four inches between them; the inner cover of the hot-air chamber shall be either a brick arch or two courses of brick laid on galvanized iron or tin, supported on iron bars; the outside cover, which is the top of the furnace, shall be made of brick or metal supported on iron bars, and so constructed as to be perfectly tight, and shall be not less than twelve inches below any combustible ceiling or floor beams.

The walls of the furnace shall be built hollow in the following manner: One inner and one outer wall, each four inches in thickness, properly bonded together with an air space of not less than three inches between them.

Furnaces shall be built at least twelve inches from all woodwork.

The cold-air boxes of all heating apparatus shall be made of metal, brick or other incombustible material.

All portable hot-air furnaces shall be placed at least two feet from any wood or combustible partition or ceiling, unless the partitions and ceilings are properly protected by a suspended metal shield, when the distance shall be not less than one foot.

Wood floors under all portable furnaces shall be protected by three courses of brick work, well laid in mortar on galvanized sheet iron, the middle course to be laid crosswise, and with ventilating spaces within or between the bricks of said middle course. Said brickwork shall extend at least two feet beyond the furnace in front of the ash pan.

SECTION 104.—REGISTERS.

Registers located over a brick furnace shall be supported by a brick shaft built up from the cover of the hot-air chamber; said shaft shall be lined with a metal pipe, and all wood beams shall be trimmed away not less than four inches from it.

Where a register is placed on any woodwork in connection with a metal pipe or duct the end of the said pipe or duct shall be flanged over on the woodwork under it.

All registers for hot-air furnaces placed in any woodwork or combustible floors shall have stone or iron borders firmly set in plaster of paris or gauged mortar.

All register boxes shall be made of tin plate or galvanized iron with a flange on the top to fit the groove in the frame, the register to rest upon the same; there shall be an open space of two inches on all sides of the register box, extending from the under side of the border to and through the ceiling below. The said opening shall be fitted with a tight tin or galvanized-iron casing, the upper end of which shall be turned under the frame.

When a register box is placed in the floor over a portable furnace the open space on all sides of the register box shall be not less than three inches.

When only one register is connected with a furnace said register shall have no valve or slats, and where two or more registers are connected with a furnace at least one of them shall have no valve or slats.

SECTION 105.—DRYING ROOMS.

All walls, ceilings and partitions inclosing drying rooms shall be made of fireproof material.

SECTION 106.—RANGES AND STOVES.

Where a kitchen range is placed from twelve to six inches from a wood stud partition the said partition shall be shielded with metal from the floor to the height of not less than three feet higher than the range; if the range is within six inches of the partition, then the

studs shall be cut away and framed three feet higher and one foot wider than the range, and filled in to the face of the said stud partition with brick or fireproof blocks and plastered thereon.

All ranges on wood or combustible floors and beams that are not supported on legs and have ash pans three inches or more above their base shall be set on suitable brick foundations, consisting of not less than two courses of brick well laid in mortar on galvanized sheet iron, except small ranges, such as are used in apartment houses, that have ash pans three inches or more above their base, shall be placed on at least one course of brickwork on galvanized sheet iron.

No range shall be placed against a furred wall.

All lath and plaster or wood ceilings over all large ranges and ranges in hotels and restaurants shall be guarded by metal hoods placed at least nine inches below the ceiling.

A ventilating pipe connected with a hood over a range shall be an individual pipe, having no connection with any other pipe, and shall be covered with one inch of asbestos on wire mesh and shall not be less than nine inches from wood or lath and plaster work, which shall be shielded with metal. The pipe shall go either outside of the building and discharge at least four feet above the roof or be connected with a suitable brick flue lined with burnt clay or heavy iron pipe, which shall be used exclusively for the ventilating pipe of the range.

Laundry stoves on wood or combustible floors shall have a course of bricks, laid on metal, on the floor under and extended twenty-four inches on all sides of them.

All stoves for heating purposes shall be properly supported on iron legs resting on the floor three feet from all lath and plaster or woodwork; if the lath and plaster or woodwork is properly protected by a metal shield then the distance shall be not less than eighteen inches.

A metal shield shall be placed under and twelve inches in front of the ash pan of all stoves that are placed on wood floors.

All low gas stoves shall be placed on iron stands or the burners shall be at least six inches above the base of the stoves, and metal guard plates placed four inches below the burners, and all woodwork under them shall be covered with metal. Gas connections to such stoves shall be made by metal pipes unless there is no valve on the gas stove.

All receptacles for ashes shall be of galvanized iron, brick or other incombustible material.

SECTION 107.—NOTICE AS TO HEATING APPARATUS.

In cases where hot water, steam or hot air or other heating appliances or furnaces are hereafter placed in any building or flues or fireplaces are changed or enlarged due notice shall first be given to the Inspector of Buildings by the person or persons placing the said furnace or furnaces in said building or by the contractor or inspector of said work.

SECTION 108.—GAS AND WATER PIPES.

Every building, other than a private dwelling house, hereafter erected, and all factories, hotels, churches, theatres, school houses and other buildings of a public character now erected in which gas or steam is used for lighting or heating, shall have the supply pipes leading from the street mains provided each with a stopcock placed in the sidewalk at or near the curb, and so arranged as to allow of shutting off at that point.

No gas, water or other pipes which may be introduced into any building shall be let into wood beams unless the same be placed within thirty-six inches of the end of the beams;

And in no building shall the said pipes be let into any beam more than two inches of its depth.

GAS BRACKETS.

All gas brackets shall be placed at least three feet below any ceiling or woodwork, unless the same is properly protected by a shield; in which case the distance shall be not less than eighteen inches.

No swinging or folding gas bracket shall be placed against or near any stud partition or woodwork, and all swinging gas brackets shall be provided with stops to prevent them from swinging against woodwork.

No gas brackets on any lath and plaster partition or woodwork shall be less than five inches in length, measured from the burner to the plaster surface of woodwork.

Gaslights placed near window curtains or any other combustible material shall be guarded by globes or wire cages.

SECTION 109.—ROOFS, LEADERS, CORNICES, BULKHEADS, SCUTTLES AND TANKS—MANSARD ROOFS.

If a mansard or other roof of like character, having a pitch of over sixty degrees, be placed on any building, except a wood building, or a dwelling house not exceeding three stories nor more than forty feet in height, it shall be constructed of iron rafters and lathed with iron or steel on the inside and plastered, or filled in with fireproof material not less than three inches thick, and covered with metal, slate or tile.

No false mansard or other similar roof construction for increasing the apparent height of a building, but having no full story behind the same, shall be placed on any building to a greater height than five feet above the cornice or the highest point of the roof beams.

SECTION 110.—CORNICES AND GUTTERS.

On all buildings hereafter erected within the fire limits, the exterior of cornices, inclusive of those on show windows, and gutters shall be on some fireproof material.

All fireproof cornices shall be well secured to the walls with iron anchors, independent of any woodwork.

No cornice, not including pediments, shall extend more than five feet above the highest point of the roof beams of any building.

WALLS IN RELATION TO ROOF PLANKING AND CORNICES.

In all cases the walls shall be carried up to the planking of the roof.

Where the cornice projects above the roof the walls shall be carried up to the top of the cornice.

The party walls shall in all cases extend above the planking of the cornice and be coped.

UNSAFE CORNICES.

All exterior wood cornices within fire limits that may now be or that may hereafter become unsafe or rotten shall be taken down.

And, if replaced, shall be constructed of some fireproof material.

CORNICES DAMAGED BY FIRE.

All exterior cornices of wood or gutters within the fire limits that may hereafter be damaged by fire to the extent of one-half shall be taken

down, and, if replaced, shall be constructed of some fireproof material;

But if not damaged to the extent of one-half the same may be repaired with the same kind of material of which they are originally constructed.

SECTION 111.—BULKHEADS ON ROOF AND SCUTTLES.

Bulkheads used as inclosures for tanks and elevators and coverings for the machinery of elevators and all other bulkheads, including the bulkheads of dwelling houses, on buildings not more than four stories in height hereafter erected or altered, may be constructed of hollow fireproof blocks; or of wood, covered with not less than two inches of fireproof material, or filled in the thickness of the studding with such material, and covered on all outside surfaces with metal, including both surfaces and edges of doors. On fireproof buildings the bulkheads and inclosures on roofs shall be constructed of fireproof materials only.

All buildings shall have scuttles or bulkheads, with ladders or stairs leading thereto, and easily accessible to all occupants.

No scuttle shall be less in size than two by three feet.

No staging or stand shall be constructed or occupied upon the roof of any building without first obtaining the approval of the Inspector of Buildings.

SECTION 112.—TANKS.

Tanks containing more than five hundred gallons of water or other fluid hereafter placed in any story, or on the roof or above the roof of any building now or hereafter erected, shall be supported on iron or steel beams of sufficient strength to safely carry the same;

And the beams shall rest at both their ends on brick walls or on iron or steel girders or iron or steel columns or piers of masonry.

Underneath any said water tank or on the side near the bottom of the same there shall be a short pipe or outlet, not less than four inches in diameter, fitted with a suitable valve having a lever or wheel handle to same, to discharge the weight of the fluid contents from the tank, in case of necessity, unless tank water is to supply automatic sprinklers.

Such tanks shall be placed, where practicable, at one corner of a building, and shall not be placed over nor near a line of stairs, unless the stairs are inclosed with brick walls of sufficient strength to support the added load of the tank and contents.

Cover on top of water tanks placed on roofs, if of wood, shall be covered with tin.

SECTION 113.—ROOFING AND LEADERS WITHIN THE FIRE LIMITS.

The planking and sheathing of the roofs of buildings shall not in any case be extended across the side or party wall thereof.

Every building and the tops and sides of every dormer window thereon shall be covered and roofed with brick, tile, slate, tin, copper or iron, or such other incombustible roofing as the Inspector of Buildings, under his certificate, may authorize.

And the outside of the frame of every dormer window hereafter placed upon any building shall be made of some fireproof material.

No wood or other building within the fire limits which shall require roofing shall be roofed with any other roofing or covered except as aforesaid, including the tops and sides of dormer windows.

Nothing in this section shall be construed to prohibit the repairing of any shingle roof within or without the fire limits, providing

the building is not altered in height, but this shall not be construed to permit the renewal of a shingle roof.

SECTION 114.—LEADERS FROM ROOFS.

All buildings shall be kept provided with proper metallic leaders or conducting water from the roofs in such manner as shall protect the walls and foundations of said buildings from injury.

In no case shall the water from the said leaders be allowed to flow upon the sidewalk, but the same shall be conducted by pipe or pipes to the sewer.

If there be no sewer in the street upon which such buildings front, then the water from said leader shall be conducted by proper pipe or pipes below the surface of the sidewalk to the street gutter.

SECTION 115.—ELEVATORS, HOISTWAYS AND DUMBWAITERS.

Elevators and Hoistways.—In any building in which there shall be any hoistway or elevator or wellhole not inclosed in walls constructed of brick or other fireproof material and provided with fireproof doors, the openings thereof and upon each floor of said building shall be provided and protected by a substantial guard or gate and with such good and sufficient trap doors as may be directed and approved by the Inspector of Buildings; and when in the opinion of the Inspector of Buildings, automatic trap-doors are required to the floor openings of any uninclosed freight elevator, the same shall be constructed so as to form a substantial floor surface when closed and so arranged as to open and close by the action of the elevator in its passage either ascending or descending. The said Inspector of Buildings shall have exclusive power and authority to require the openings or hoistways, shafts, elevators and wellholes in buildings to be inclosed or secured by trap doors, guards or gates and railings. Such guards or gates shall be kept closed at all times, except when in actual use, and the trap doors shall be closed at the close of business each day by the occupant or occupants of the building having the use or control of the same.

ELEVATOR INCLOSURES.

All elevators hereafter placed in any building, except such fireproof buildings as have been or may hereafter be erected shall be inclosed in suitable walls of brick, or with a suitable framework of iron and burnt clay filling, or of such other fireproof material and form of construction as may be approved by the Inspector of Buildings, except that the inclosure walls in non-fireproof buildings, used as warehouses, stores or factories shall be of brick. If the inclosure walls are of brick, laid in cement mortar, and not used as bearing walls, they may be eight inches in thickness for not more than fifty feet of their uppermost height, and increasing in thickness four inches for each lower fifty feet portion or part thereof. Said walls or construction shall extend through and at least three feet above the roof. All openings in the said walls shall be provided with fireproof shutters or fireproof doors made solid for three feet above the floor level, except that the doors used for openings in buildings intended for the occupancy of one family may be of wood covered on the inner surface and edges with metal, not including the openings in the cellar nor above the roof in any such shaft walls. The roofs over all inclosed elevators shall be made of fireproof materials, with a skylight at least three-fourths the area of the shaft, made of

glass, set in iron frames. When the shaft does not extend to the ground, the lower end shall be inclosed in fireproof material.

DUMBWAITER SHAFTS.

All dumbwaiter shafts, except such as do not extend more than three stories above the cellar or basement in dwelling houses shall be inclosed in suitable walls of brick or burnt clay blocks, set in iron frames of proper strength or fireproof blocks strengthened with metal towels, or such other fireproof material and form of construction as may be approved by the Inspector of Buildings. Said walls or construction shall extend at least three feet above the roof and be covered with a skylight at least three-fourths the area of the shaft made with metal frames and glazed. All openings in the inclosure walls or construction shall be provided with self-closing fireproof doors. When the shaft does not extend to the floor level of the lowest story, the bottom of the shaft shall be constructed of fireproof material.

ELEVATORS IN STAIRCASE INCLOSURES.

Open grillwork inclosures for passenger elevators, not extending below the level of the first floor, may be erected in staircase inclosures in buildings where the entire space occupied by the stairs and elevator is inclosed in brick or stone walls.

ELEVATORS IN EXISTING HOTELS.

In every non-fireproof building, used or occupied as a hotel in which there is an elevator not inclosed in fireproof shafts, such elevators shall be inclosed in suitable walls, constructed and arranged as in this code required for elevator shafts.

SCREEN UNDER ELEVATOR SHEAVES.

Immediately under the sheaves at the top of every elevator shaft in any building there shall be provided and placed a substantial grating or screen of iron or steel, of such construction as may be approved by the Inspector of Buildings.

SECTION 116.—FIRE APPLIANCES, FIRE-ESCAPES AND FIREPROOF SHUTTERS AND DOORS.—STANDPIPES.

In every existing building, excepting dwellings exceeding sixty-five and not over one hundred feet in height, unless already provided with a three-inch or larger standpipe, and in all buildings hereafter erected exceeding sixty-five and not exceeding one hundred feet in height, there shall be provided a vertical standpipe of not less than four inches in diameter.

In every existing building exceeding one hundred feet in height, unless already provided with a four-inch or larger standpipe, and in all buildings hereafter erected exceeding one hundred feet in height, there shall be provided a vertical standpipe of not less than six inches in diameter.

These standpipes shall be of wrought iron or steel galvanized, and, together with fittings and connections, shall be of such strength as to safely withstand at least three hundred pounds water pressure to the square inch when installed and ready for service; also to stand such a test without leaking at joints, valves or fittings.

Standpipes shall be located within fireproof stairway inclosures where the latter are of such construction, and as near stairways as possible where they are not so inclosed.

Where more than one standpipe is required

in a building they shall be connected at their bases by pipes of size equal to that of largest standpipes, so that water from any source will supply all the standpipes.

In buildings exceeding one hundred feet deep fronting on two or more streets there shall be a standpipe at each end of building, and in large area buildings there shall be one standpipe at each stairway or within each stairway inclosure.

Standpipes shall extend from the cellar to and through the roof, with a hose connection located from four to six feet above floor level fitted with approved straightway composition gate valve in each story, including cellar, and a hose connection provided above the roof with the valve controlling latter, located in the standpipe under the roof and arranged to be operated both from above and below the roof. A suitable three-quarter inch drain pipe and valve shall be provided under the roof for each roof connection.

Hose sufficient to reach to all parts of the floor shall be attached to each outlet in the building, and hose for roof hydrant may be placed on rack in top floor near the scuttle leading to the roof. Hose shall be two and one-half or two and five-eighths inches in diameter, in fifty-foot lengths, and provided with standard couplings at each end, all couplings to be of same hose thread as that in use by the local Fire Department.

Hose to be approved linen cotton rubber lined or rubber made under specifications recommended by the National Board of Fire Underwriters.

Each line of hose shall be provided with washers at both ends, and be fitted with play pipe or nozzle of Underwriter pattern, having handles at the base and with discharge outlet not less than three-quarter inch in diameter. One spanner to be located at each hose connection throughout the building.

All standpipes shall be provided with a Siamese steamer connection, located on the outside of the building about one foot above the curb level, and where a building fronts on two or more streets a connection to be provided on each street front. Inlet pipe from steamer connection to standpipe to be not less than the diameter of the largest standpipe. The thread on the Siamese connection shall be uniform with that used by the local Fire Department. Siamese steamer connections shall be provided with check valves in the "Y," and substantial caps provided to protect thread on the connection. The steamer connection fitting should be adjusted looking down at an angle of forty-five degrees. A suitable iron plate with raised letters shall be secured to the wall near steamer connection reading, "To Standpipes."

In each connecting pipe just inside of the building in a horizontal section shall be placed a straightway check valve, but not a gate valve. A drip pipe with valve to same shall be placed between said check valve and steamer connection to properly drain this section to prevent freezing.

In addition to the provision made for steam connections to standpipes the water supply may be from city water, where pressure is sufficient, automatic fire pump of five hundred gallons or more capacity per minute, elevated tank or steel pressure tank of not less than five thousand gallons capacity.

In all buildings coming under these regulations as to height which are occupied for living or sleeping purposes, such as hotels, lodging houses, hospitals and asylums, the standpipe system must have at least one of the approved automatic supplies before described.

Where a standpipe is connected to a tank there shall be a straightway check valve in a horizontal section of pipe between the first hose outlet in connecting pipe and tank, and

said tank must be filled by a separate pipe, and not through the standpipe.

Where pumps constituting a supply to standpipes are located in the lowest story of a building they shall be placed not less than two feet above the floor level, and boilers upon which pumps depend for steam shall be arranged so that flooding of fires under same will be impossible.

In every building exceeding one hundred feet in height at least one passenger elevator shall be kept in readiness for immediate use, by the Fire Department during all hours of the night and day, including holidays and Sundays.

SECTION 117.—FIRE ESCAPES.

Every apartment house, tenement house or dwelling house occupied by or built to be occupied by three or more families.

And every building already erected, or that may hereafter be erected, more than three stories in height, occupied and used as a hotel, apartment hotel or lodging house, and every boarding house, having more than fifteen sleeping rooms above the basement story.

And every factory, mill, manufactory or workshop, hospital, asylum or institution for the care or treatment of individuals.

And every building three stories and over in height used or occupied as a store or workshop.

And every building, in whole or in part, occupied or used as a school or place of instruction or assembly.

And every office building four stories or more in height.

Shall be provided with such good and sufficient fire-escapes, stairways, or other means of egress in case of fire, as shall be directed by the Inspector of Buildings.

The owner or owners of any building upon which a fire escape is erected shall keep the same in good repair and properly painted.

Fire escapes on the outside of buildings shall consist of open iron balconies and stairways.

Fire escapes may project into the public highway to a distance not greater than four feet beyond the building line.

The stairways shall be placed at an angle of not more than sixty degrees, with steps not less than six inches in width and twenty inches in length, and with a rise of not more than nine inches.

The balcony on the top floor, except in case of a front fire escape, shall be provided with a gooseneck ladder leading from said balcony to and above the roof.

BALCONIES.

The balconies shall be not less than three feet in width, and placed where directed by the Inspector of Buildings at each story above the ground floor.

They shall be below and not more than one foot below the window sills and extend in front of and not less than nine inches beyond each window.

There shall be a landing not less than twenty-four inches square at the head and foot of each stairway.

The stairway opening on each platform shall be of a size sufficient to provide clear headway.

FLOORS OF BALCONIES.

The floors of balconies shall be of wrought iron or steel slats not less than one and one-half inches by three-eighths of an inch, placed not more than one and one-quarter inches apart and well secured and riveted to iron battens one and a half inches by three-eighths of an inch, not over three feet apart and riveted at the intersections. The openings for stairways in all balconies shall be not less

than twenty-one inches wide and thirty-six inches long, and such openings shall have no covers of any kind.

The platforms or balconies shall be constructed and erected to safely sustain in all their parts a safe load at a ratio of four to one of not less than eighty pounds per square foot of surface.

RAILINGS.

The outside top rail shall extend around the entire length of the platform, and in all cases shall go through the wall at each end and be properly secured by nuts and four-inch square washers at least three-eighths of an inch thick and no top rail shall be connected at angles by cast iron. The top rail of balconies shall be one and three-quarter inches by one-half inch of wrought iron, or one and a half inch angle iron one-quarter inch thick. The bottom rails shall be one and one-half inches by three-eighths of an inch wrought iron or steel, or one and a half inch angle iron, one-quarter inch thick, well leaded into the wall. The Standards or filling-in bars shall be not less than one-half inch round or square wrought iron or steel, well riveted to the top and bottom rails and platform frame. Such standards or filling-in bars shall be securely braced by outside brackets at suitable intervals, and shall be placed not more than six inches from centers; the height of railings shall in no case be less than two feet nine inches.

STAIRWAYS.

The stairways shall be constructed and erected to fully sustain in all their parts a safe load at a ratio of four to one of not less than one hundred pounds per step, with the exception of the tread, which must safely sustain at said ratio a load of two hundred pounds. The treads shall be flat open treads, not less than six inches wide and with a rise of not more than nine inches. The stairs shall be not less than twenty inches wide. The strings shall be not less than three-inch channels of iron or steel, or other shape equally strong, and shall rest upon and be fastened to a bracket which shall be fastened through the wall as hereinafter provided. The strings shall be securely fastened to the balcony at the top, and the steps in all cases shall be double-riveted or bolted to the strings. The stairs shall have three-quarter inch hand rails of wrought iron, well braced.

BRACKETS.

The brackets shall be not less than one-half inch by one and three-quarter inches wrought iron angled edgewise, or one and three-quarter inch angle iron, one-quarter inch thick, well braced; they shall be not more than four feet apart, and shall be braced by means of not less than three-quarters of an inch square wrought iron, and shall extend two-thirds of the width of the respective balconies or brackets. The brackets shall go through the wall, and be turned down three inches, or be properly secured by nuts and four-inch square washers at least three-eighths of an inch thick.

On new buildings the brackets shall be set as the walls are being built.

When brackets are put on buildings already erected the part going through the wall shall be not less than one inch in diameter with screw nuts and washers not less than five inches square and one-half an inch thick.

DROP LADDERS.

A proper drop ladder shall be required from the lower balcony when the floor of such balcony is more than fourteen feet above the sidewalk or ground.

PAINTING.

All the parts of such fire escapes shall receive not less than two coats of paint, one in the shop and one after erection.

INCUMBRANCES ON FIRE ESCAPES.

No persons shall at any time place any incumbrances of any kind whatsoever before or upon any fire escape, balcony or stairway.

It shall be the duty of every fireman and policeman who shall discover any fire escape, balcony or stairway of any fire escape incumbered in any way, to forthwith report the same to the commanding officer of his company or precinct, and such commanding officer shall forthwith cause the occupant of the premises or apartment to which said fire escape, balcony or stairway is attached or for whose use the same is provided, to be notified, either verbally or in writing, to remove such incumbrances and keep the same clear.

If said notice shall not be complied with by the removal, forthwith, of such incumbrances, and keeping said fire escape, balcony or stairway free from incumbrance, then it shall be the duty of said commanding officer to apply to the nearest police magistrate for a warrant for the arrest of the occupant or occupants of the said premises or apartment of which the fire escape forms a part, and the said parties shall be brought before the said magistrate, as for a misdemeanor; and, on conviction, the occupant or occupants of said premises or apartment shall be fined not more than ten dollars for each offense, or may be imprisoned not to exceed ten days, or both, in the discretion of the court.

NOTICE PLATES ON FIRE ESCAPE BALCONIES.

In constructing all balcony fire escapes the manufacturer thereof shall securely fasten thereto, in a conspicuous place, a cast-iron plate having suitable raised letters on the same, to read as follows: Notice—Any person placing any incumbrance on this balcony is liable to a penalty of ten dollars and imprisonment for ten days.

SCUTTLE LADDERS.

All buildings requiring fire escapes shall have stationary iron ladders leading to the scuttle opening in the roof thereof, and all scuttles and ladders shall be kept so as to be ready for use at all times.

BULKHEAD STAIRS AND DOORS.

If a bulkhead is used in place of a scuttle it shall have stairs with sufficient guard or hand rail leading to the roof.

In case the building shall be occupied by more than one family the door in the bulkhead or any scuttle shall at no time be locked, but may be fastened on the inside by movable bolts or hooks.

SECTION 118.—FIREPROOF SHUTTERS AND DOORS.

Every building, except tenements, dwelling houses, hotels and churches, shall have fireproof doors, blinds or shutters hung to wrought-iron or steel hanging frames or to wrought-iron eyes built into the wall, on every exterior window and opening above the first story thereof.

Excepting on the front openings of buildings fronting on streets, which are thirty-five feet or more in width, or where no other buildings are within thirty-five feet of such openings.

The said doors, blinds or shutters shall be of standard construction, that is, constructed of pine or other soft wood of two or three

thicknesses (depending on size) of matched boards, clinch-nailed, at right angles, or placed diagonally with each other, and securely covered with tin on both sides and edges, with folded lapped joints, the nails for fastening the same being driven inside the lap; the hinges and bolts or latches shall be secured or fastened to the door or shutter by wrought-iron bolts passing through the door or shutter and secured by nuts and washers on the opposite side after the same has been covered with the tin, and such doors or shutters shall be hung upon a wrought-iron frame, independent of the woodwork of the windows and doors, or to wrought-iron hinges securely fastened in the masonry.

METAL WINDOW FRAMES AND SASH AND WIRED GLASS.

On any opening where the window frame and sash are of metal, and the sash glazed with wired glass not less than one-quarter of an inch in thickness, and each pane measuring not more than thirty by twenty-four inches, the same shall be deemed an equivalent of and a substitute for fireproof shutters.

SHUTTERS ARRANGED TO BE OPENED FROM THE OUTSIDE.

All shutters opening on fire escapes, and at least one row vertically in every three vertical rows on the front window openings above the first story of any building, shall be so arranged that they can be readily opened from the outside by firemen.

ROLLING METAL SHUTTERS.

No rolling iron or steel shutters shall be hereafter placed above the first story of any building, and when used on the first story they shall be counterbalanced so that said rolling shutters may be readily opened by the firemen.

INTERIOR WALL OPENINGS TO HAVE FIREPROOF DOORS.

All buildings specified in this section, hereafter erected or altered, having openings in interior walls, shall be provided with suitable fireproof doors where deemed necessary by the Inspector of Buildings, and to be provided with approved automatic self-closing devices.

OUTSIDE AND INSIDE FIREPROOF SHUTTERS AND DOORS TO BE CLOSED AT NIGHT.

All occupants of buildings shall close all exterior or interior fireproof shutters, doors and blinds at the close of the business of each day.

SECTION 119.—FIREPROOF BUILDINGS.

Every building hereafter erected or altered to be used as a theatre, lodging house, school, jail, public station, hospital, asylum, institution for the use, care or treatment of persons, the height of which exceeds three stories and not more than forty feet in height, and every building hereafter erected or altered to be used as a hotel or an apartment hotel which exceeds four stories, and not more than fifty feet in height (excepting all buildings for which specifications and plans have been heretofore approved by the proper authorities), and every other building the height of which exceeds sixty-five feet or more than five stories in height shall be built fireproof; that is to say: They shall be constructed with walls of brick, stone, Portland cement concrete, iron or steel in which wood beams or lintels shall not be placed, and in which the floors and roofs shall be constructed with rolled wrought-iron or steel

Floor beams, spaced not more than five feet on centers, for stores, warehouses and factory buildings, and for all other buildings not more than eight feet on centers, and otherwise so arranged as to spacing and length of beams that the load to be supported by them, together with the weights of the materials used in the construction of said floors, shall not cause a greater deflection of the said beams than one-thirtieth of an inch per foot of span under the total load. The beams shall be tied together at intervals of not more than eight times the depth of the beam with suitable tie-rods.

Between the floor and roof beams shall be placed brick arches springing from the lower flanges of the steel beams, or the spaces between the beams may be filled with hollow tile arches of hard-burnt clay or porous terra cotta, or arches of Portland cement concrete, plain or reinforced with metal, or such other fireproof composition may be used, provided that in each and all cases the strength and method of construction shall conform to the requirements of this Code.

The stairs and staircase landings shall be constructed of brick, stone, Portland cement concrete, iron or steel or a combination of these materials.

No woodwork or other inflammable material shall be used in any of the partitions, furrings or ceiling in any such fireproof buildings, excepting, however, that when the height of the building does not exceed eight stories nor more than one hundred feet, the doors and windows and their frames and trims, the casings, the interior finish when filled solidly at the back with fireproof material, and the floor boards and sleepers directly thereunder, may be of wood, but the space between the sleepers shall be solidly filled with fireproof materials extending up to the underside of the floor boards.

When the height of a fireproof building exceeds eight stories, or more than one hundred feet, the floor surfaces shall be of stone, cement tiling or similar incombustible material, all outside window frames and sash shall be of metal.

The inside window frames and sash, doors, trim and other interior finish may be of metal or wood covered with metal or of such other incombustible material that may be approved by the Inspector of Buildings.

FLOOR FILLING.—PROTECTION AGAINST INJURY BY FREEZING.

No filling of any kind which may be injured by frost shall be placed between said floor beams during freezing weather and if the filling is placed during any winter month it shall be temporarily covered with suitable material for protection from being frozen.

INCASING EXPOSED SIDES AND BOTTOM AND TOP PLATES AND FLANGES OF GIRDERS AND BEAMS.

The exposed sides of all iron or steel girders and beams shall be entirely incased in hard burnt clay, porous terra cotta, concrete or other fireproof material not less than two inches in thickness.

All incasing shall be securely attached to the girders or beams.

No pipes, wires or conduit of any kind shall be incased in the fireproofing surrounding any column, girder or beam of steel or iron, but shall be placed outside of such fireproofing.

MATERIALS PROHIBITED.

No plaster of paris, or sulphate of lime, and no coal, sawdust, coke, coke breeze, or unconsumed or partly consumed materials, con-

suming any of the compounds of carbon and subject to combustion, disintegration or disintegration at one thousand degrees Fahr., shall enter into any materials used for the construction of the floors, partitions, covering for structural members or in any part of fireproof buildings, except in the form of wall plastering or as a gauge for mortar. No quick lime shall be used in the composition of the material used in the construction of walls or floors except in combination with Portland cement when used for mortar in setting fireproof material with a trowel.

CENTERING.

Centering when used in placing fireproof systems between steel floor beams shall not be removed until such time as the mortar or the materials have set.

The time for such removal to be determined by the Inspector of Buildings.

STRENGTH FOR FIREPROOF FILLINGS.

All fireproof floor systems shall be of sufficient strength to safely carry the load to be imposed thereon without straining the materials in any case beyond its safe working load. The Inspector of Buildings may from time to time require such test loads to be applied as he may designate, to prove the carrying capacity of the floors.

PIPE OPENINGS THROUGH FIREPROOF FLOORS.

Openings through fireproof floors for pipes, conduits and similar purposes shall be shown on plans filed in the office of the Inspector of Buildings.

After the floors are constructed no opening greater than eight inches square shall be cut through said floors, unless properly boxed or framed around with iron;

And such openings shall be filled in with fireproof material after the pipes or conduits are in place.

ROOF DOMES.

Nothing in this section contained shall be deemed to prohibit the construction of roof dome, provided that the materials used therefor are in accordance with those specified in this section, and that the unit stresses do not exceed those, fixed, in Section 131 of this Code and that in all respects the construction shall be satisfactory to the Inspector of Buildings.

SECTION 120.—INCASING INTERIOR COLUMNNS.

All cast iron, wrought iron or rolled steel columns, including the lugs and brackets or same, used for vertical supports in the interior of any fireproof building, or used to support any fireproof floor.

Shall be entirely protected with not less than four inches of hard-burned brickwork, terra cotta, concrete or other fireproof material without any air space next to the metal, securely applied; but no plaster of paris or lime mortar shall be used for this purpose, no shall any plaster, whether or not on metal lathing, be considered a part of the covering required.

SECTION 121.—REINFORCED CONCRETE OF CONCRETE-STEEL CONSTRUCTED BUILDINGS AND CONCRETE BUILDING BLOCKS.

The term "reinforced concrete" or "concrete steel" in this section shall be understood to

mean an approved concrete mixture reinforced by steel of any shape, so combined that the steel will take up the tensional stresses and assist in the resistance to shear.

Reinforced concrete construction may be accepted for fireproof buildings, if designed as hereinafter prescribed; provided, that the aggregate for such concrete shall be hard-burned broken bricks, or terra cotta, clean broken stone, or furnace slag, or clean gravel, together with clean siliceous sand, if sand is required to produce a close and dense mixture; and provided, further, that the minimum thickness of concrete surrounding any reinforcing members one-quarter inch or less in diameter shall be one inch; and for members heavier than one-quarter inch the minimum thickness of protecting concrete shall be four diameters, taking that diameter, in the event of bars or other than circular cross-section, which lies in the direction in which the thickness of the concrete is measured; but no protecting concrete need be more than four inches thick for bars of any size; and provided; further that all columns and girders of reinforced concrete shall have at least one inch of material on all exposed surfaces over and above that required for structural purposes; and all beams and floor slabs shall have at least three-quarters inch of such surplus material for fire-resisting purposes; but this shall not be construed as increasing the total thickness of protecting concrete as herein specified.

All the requirements herein specified for protection of steel and for fire-resisting purposes shall apply to reinforced concrete filling between rolled steel beams, as well as to reinforced concrete beams and to entire structures in reinforced concrete. Any concrete structure or the floor filling in same reinforced or otherwise, which may be erected on a permanent centering of sheet metal, of metal lathing and curved bars or a metal centering of any other form, must be strong enough to carry its load without assistance from the centering, unless the concrete is so applied as to protect the centering as herein specified for metal reinforcement.

Exposed metal centering or exposed metal of any kind will not be considered a factor in the strength of any part of any concrete structure, and a plaster finish applied over the metal shall not be deemed sufficient protection.

All concrete for reinforced concrete construction whenever used in such buildings must be mixed in a machine which mixes one complete batch at a time, and entirely discharges it before another is introduced. At least twenty-five complete revolutions must be made at such a rate as to turn the concrete over at least once in each revolution for each batch.

Before permission to erect any concrete-steel structure is issued, complete drawings and specifications shall be filed with the Inspector of Buildings showing all details of the construction, the size and position of all reinforcing rods, stirrups, etc., and giving the composition of the concrete.

The execution of work shall be performed by workmen under the direct supervision of a competent foreman or Inspector.

All forms and centering for concrete shall be built plumb in a substantial manner with inside surface smooth and made tight so that no part of the concrete mixture shall leak out through joints, cracks or holes, and after the completion shall be thoroughly cleaned out, removing shavings, chips, pieces of wood and other material, which should not be permitted to forms.

The reinforcing steel shall be accurately located in the forms and secured against displacement while the concrete is being placed and tamped.

Whenever fresh concrete joins concrete that is set, or partially set, the surface of the old concrete shall be roughened, cleaned and thoroughly slushed with a grout of neat cement and water.

Concrete shall not be installed in freezing weather; such weather shall be taken to mean a temperature of thirty-two degrees Fahrenheit or lower; concrete shall not be allowed to freeze after being put in place, and, if frozen, shall be removed.

The time at which forms and centering may safely be removed will vary from twenty-four hours to sixty days, depending upon temperature and other atmospheric conditions of the weather; the time for such removal to be determined by the Inspector of Buildings.

The concrete shall be mixed in the proportions of one of cement, two of sand and four of other aggregates as before provided; or the proportions may be such that the resistance of the concrete to crushing shall not be less than 2,000 pounds per square inch after hardening for twenty-eight days, but for reinforced or plain concrete columns the mixture shall not be leaner than one part of cement, two of sand and four of the coarser aggregate in any case. The tests to determine this value must be made under the direction of the Inspector of Buildings. The concrete used in concrete-steel construction must be what is usually known as a "wet" mixture.

Only high-grade Portland cements shall be permitted in reinforced concrete or concrete-steel constructed buildings. Such cements, when tested, neat, shall, after one day in the air, develop a tensile strength of at least 300 pounds per square inch; and after one day in air and six days in water shall develop a tensile strength of at least 500 pounds per square inch; and after one day in air and twenty-seven days in water shall develop a tensile strength of at least 600 pounds per square inch. Other tests, as to fineness, constancy or volume, etc., made in accordance with the standard method prescribed by American Society of Civil Engineers, may from time to time, be made by the Inspector of Buildings.

The sand to be used must be clean, sharp grit sand, free from loam or dirt, and shall not be finer than the standard sample kept in the Department of Buildings.

The stone used in the concrete shall be clean, broken stone, of a size that will pass through a three-quarter-inch ring, or good gravel may be used in the same proportion as broken stone, or broken hard brick, or terra cotta, or furnace slag.

The steel shall meet the requirements of Section 38 of this Code.

The contractor must be prepared to make load tests on any portion of a reinforced concrete or concrete-steel constructed building within a reasonable time after erection as often as may be required by the Inspector of Buildings. The tests must show that the construction will sustain a load with a factor of safety for floors and structural members as required by Section 128b of this Code.

Cement or concrete building blocks may be used in the erection of any buildings not exceeding two stories in height in Hoboken, provided that they shall conform to the following requirements: The thickness of the walls shall be as specified for brick walls, except where private residences or other buildings of which the superstructure is frame and the foundation walls do not exceed ten feet in height, these concrete walls may be constructed of a block ten inches in width. Wherever a wall is constructed of ten-inch block no permit shall at any time be issued whereby said wall shall be increased in height. All walls twenty-four inches or less in width shall be built of block the full width of the wall.

All building blocks shall be constructed of Portland cement having the minimum requirements set forth in the "Standard Specifications for Cement," prepared by the American Society of Civil Engineers, mixed in the proportion of four parts of aggregates to one part of cement. The aggregates shall consist of sand, crushed stone, crushed slag or gravel, which shall be free from dirt or other deleterious matter. Of these four parts, one and one-half parts shall be sand and the other two and one-half parts of crushed stone, crushed slag or gravel. All sand shall be clean and sharp. No loam, ashes or cinders shall be used. All crushed stone, crushed slag or gravel shall be of a size which shall readily pass through a three-quarter-inch screen. For any wall in which the Inspector of Buildings considers greater strength necessary the parts of aggregates may be reduced as he shall order. The part of Portland cement shall remain the same.

The hollow spaces in bearing cross section shall not exceed thirty-three per cent. of the bearing surface where buildings are four stories or less in height, and in buildings above that height the hollow spaces shall not exceed twenty-five per cent. for the three lower stories. The outer and inner walls of the block surrounding the air spaces shall each be not less than twenty-five per cent. of the width of the block.

The total width of the walls surrounding the air space extending from the front to the back of the block shall not be less than the thickness of the block.

Wherever girders or joists rest upon walls so that there is a concentrated load on the block of over two (2) tons the blocks supporting the girder or joists must be made solid. Where such concentrated load shall exceed five (5) tons, the blocks, for two (2) courses below, and for a distance extending at least eighteen inches each side of said girder, shall be made solid. Where the load on the wall from the girder exceeds five (5) tons, the blocks for three (3) courses beneath it shall be made solid with similar material as in the blocks. Wherever walls are decreased in thickness the top course of the thicker wall to be solid.

Provided always that no wall, or any part thereof, composed of hollow concrete blocks shall be loaded to an excess of eight (8) tons per superficial foot of the area of such blocks, including the weight of the wall, and no block shall be used that have an average crushing at less than 1,000 pounds per square inch of area at the age of twenty-eight (28) days; no deduction to be made in figuring the area for the hollow spaces.

All piers and buttresses that support loads in excess of five (5) tons shall be built of solid concrete blocks for such distance below as may be required by the Inspector of Buildings. Concrete lintels and sills shall be reinforced by iron or steel rods in a manner satisfactory to the Inspector of Buildings, and any lintel spanning over four feet six inches in the clear shall rest on solid concrete blocks.

CONCRETE COLUMNS.

Concrete columns shall be reinforced with either a cast iron column or steel of sufficient strength to carry the floor loads in safety.

SECTION 122.—CAST IRON LINTELS.

Cast iron lintels shall not be used for spaces exceeding eight feet.

Cast lintels or beams shall be not less than three-quarters of an inch in thickness in any of their parts.

PLATES UNDER ENDS OF LINTELS AND GIRDERS.

When the lintels, beams or girders are supported at the ends by brick walls or piers they shall rest upon cast iron or steel plates or stone templates of adequate strength by the full size of the bearings.

SECTION 123.—FLOOR LOADS.—TEMPORARY SUPPORTS.

The dead loads in all buildings shall consist of the actual weight of walls, floors, roofs, partitions and all permanent construction.

The live or variable loads shall consist of all loads other than dead loads.

Every floor shall be of sufficient strength to bear safely the weight to be imposed thereon in addition to the weight of the materials of which the floor is composed.

If to be used as a dwelling house, apartment house, apartment hotel, tenement house, hotel or lodging house, each floor shall be of sufficient strength in all its surface to carry not less than sixty pounds;

If to be used for office purposes, not less than seventy-five pounds upon every superficial foot above the first floor, and for the latter floor one hundred and fifty pounds;

If to be used as a school or place of instruction, not less than seventy-five pounds upon every superficial foot.

If to be used for stable and carriage house purposes, not less than seventy-five pounds upon every superficial foot;

If to be used as a place of public assembly, not less than ninety pounds upon every superficial foot;

If to be used for ordinary stores, light manufacturing and light storage, not less than one hundred and twenty pounds upon every superficial foot;

If to be used as a store where heavy materials are kept stored, warehouse, factory or for any other manufacturing or commercial purpose, not less than one hundred and fifty pounds upon every superficial foot.

The strength of factory floors intended to carry running machinery shall be increased above the minimum given in this section in proportion to the degrees of vibratory impulse liable to be transmitted to the floor, as may be required by the Inspector of Buildings.

The roofs of all buildings having a pitch of less than twenty degrees shall be proportioned to bear safely fifty pounds upon every superficial foot of their surface, in addition to the weight of materials composing the same. If the pitch be more than twenty degrees, the live load shall be assumed at thirty pounds upon every superficial foot measured on a horizontal plane.

For sidewalks between the curb and area lines the live load shall be taken at three hundred pounds upon every superficial foot.

VERTICAL SUPPORTS.

Every column, post or other vertical support shall be of sufficient strength to bear safely the weight of the portion of each and every floor depending upon it for support, in addition to the weight required, as before stated, to be supported safely upon said portions of said floors.

REDUCTION IN LIVE LOADS ON COLUMNS.

For the purpose of determining the carrying capacity of column in dwellings, office buildings, stores, stables and public buildings when over five stories in height a reduction of the live loads shall be permissible as follows:

For the roof and top floor the full live loads shall be used;

For each succeeding lower floor it shall be permissible to reduce the live load by five per cent. until fifty per cent. of the live loads fixed by this section is reached, when such reduced loads shall be used for all remaining floors.

SECTION 124.—LOAD ON FLOORS TO BE DISTRIBUTED.

The weight placed on any of the floors of any building shall be safely distributed thereon.

The Inspector of Buildings may require the owner or occupant of any building, or of any portion thereof, to redistribute the load on any floor, or to lighten such load, where he deems it to be necessary.

SECTION 125.—STRENGTH OF EXISTING FLOORS TO BE CALCULATED.

In all warehouses, storehouses, factories, workshops and stores where heavy materials are kept or stored, or machinery introduced, the weight that each floor will safely sustain upon each superficial foot thereof, or upon each varying part of such floor, shall be estimated by a competent person employed by the owner or occupant.

Such estimate shall be reduced to writing, on printed forms published by the Inspector of Buildings, stating the material, size, distance apart and span of beams and girders, joists or columns to support floors, and its correctness shall be sworn to by the person making the same.

And it shall thereupon be filed in the office of the Inspector of Buildings.

But if the Inspector of Buildings shall have cause to doubt the correctness of said estimate he is empowered to revise and correct the same, and for the purpose of such revision the officers and employees of the Inspector of Buildings may enter any building and remove so much of any floor or other portion thereof as may be required to make necessary measurements and examinations.

When the correct estimate of the weight that the floors in any such buildings will safely sustain has been ascertained, as herein provided, the Inspector of Buildings shall approve the same.

And thereupon the owner or occupant of said building, or of any portion thereof, shall post a copy of such approved estimate in a conspicuous place on each story, or varying parts of each story, of the building to which it relates.

Before any building hereafter erected is occupied and used, in whole or in part, for any of the purposes aforesaid, and before any building, erected prior to the passage of this code, but not at such time occupied for any of the aforesaid purposes, is occupied or used, in whole or in part, for any of said purposes, the weight that each floor will safely sustain upon each superficial foot thereof shall be ascertained and posted in a conspicuous place on each story or varying parts of each story of the building to which it relates.

No person shall place or cause or permit to be placed on any floor of any building any greater load than the safe load thereof, as correctly estimated and ascertained as herein provided.

EXPENSE FOR EXAMINING INTO STRENGTH OF FLOORS.

Any expense necessarily incurred in removing any floor or other portion of any building for the purpose of making an examina-

tion herein provided for shall be paid by the City Treasurer of The City of Hoboken upon the requisition of the Inspector of Buildings. Such expenses shall be a charge against the person or persons by whom or on whose behalf said estimate was made, provided such examination proves the floor of insufficient strength to carry with safety the loads found upon them when such examination was made; and shall be collected in an action to be brought by the City Attorney against said person or persons, and the sum so collected shall be paid over to the said Treasurer to be deposited in said fund in reimbursement of the amount paid as aforesaid.

FLOOR CALCULATIONS FILED WITH APPLICATION TO BUILD.

When the owner or the architect of record for any building has filed with his application to build the data required to determine the strength of floors, on one of the blank forms provided for that purpose, such examination shall not be required, provided that the purposes and uses of the building have not been changed.

SECTION 126.—STRENGTH OF TEMPORARY SUPPORTS.

Every temporary support placed under any structure, wall, girder or beam during the erection, finishing, alteration or repairing of any building or structure, or any part thereof, shall be of sufficient strength to safely carry the load to be placed thereon.

During the construction or alteration of any building or structure no material entering into such construction or alteration shall be placed on any floor of any greater weight than the live load that each such floor is intended to safely sustain when the building or structure is completed.

SECTION 127.—CALCULATIONS--STRENGTH OF MATERIALS--SAFE LOAD FOR MASONRY WORK.

The safe-bearing load to apply to brickwork shall be taken at—

Eight tons per superficial foot when lime mortar is used;

Eleven and one-half tons per superficial foot when lime and cement mortar mixed is used;

Fifteen tons per superficial foot when cement mortar is used.

RUBBLE-STONE WORK.

The safe-bearing load to apply to rubble-stone work shall be taken at—

Ten tons per superficial foot when Portland cement is used;

When cement other than Portland is used, eight tons per superficial foot;

When lime and cement mortar mixed is used, seven tons per superficial foot;

And when lime mortar is used, five tons per superficial foot.

CONCRETE.

The safe-bearing load to apply to concrete—

When Portland cement is used, shall be taken at fifteen tons per superficial foot;

And when cement other than Portland is used, eight tons per superficial foot.

SECTION 128.—WEIGHT OF CERTAIN MATERIALS.

In computing the weight of walls—

A cubic foot of brickwork shall be deemed to weigh one hundred and fifteen pounds.

Sandstone, white marble, granite and other kinds of building stone shall be deemed to weigh one hundred and seventy pounds per cubic foot.

SECTION 128a.—COMPUTATIONS FOR STRENGTH OF MATERIALS.

The dimensions of each piece or combination of materials required shall be ascertained by computation, according to the rules prescribed by this Code.

SECTION 128b.—FACTORS OF SAFETY.

Where the unit stress for any material is not prescribed in this Code the relation of allowable unit stress to ultimate strength shall be—

As one to four for metals, subjected to tension or transverse stress:

As one to six for timber,

And as one to ten for natural or artificial stones and brick or stone masonry.

But wherever working stresses are prescribed in this Code, varying the factors of safety hereinabove given, the said working stresses shall be used.

SECTION 129.—STRENGTH OF COLUMNS.

In columns or compression members with flat ends of cast iron, steel, wrought iron or wood the stress per square inch shall not exceed that given in the following tables:

When the length divided by least radius of gyration equals:

Working Stress per Square Inch of Section.	Cast Iron.	Steel.	Wrought Iron.
120.....	8,240	8,400	4,400
110.....	8,820	8,520	5,200
100.....	9,400	9,600	6,000
90.....	9,980	10,200	6,800
80.....	10,560	10,800	7,600
70.....	11,140	11,400	8,400
60.....	11,720	12,000	9,200
50.....	12,300	12,600	10,000
40.....	12,880	13,200	10,800
30.....	13,460	13,800	11,600
20.....	14,040	14,400	12,400
10.....	14,620	15,000	13,200

And in like proportion for intermediate ratios.

When the length divided by the least diameter equals:

Working Stress per Square Inch of Section.	Long Leaf Yellow Pine.	White Pine. Norway Pine Spruce.	Oak.
30.....	460	425	390
25.....	550	450	475
20.....	640	500	560
15.....	730	575	645
12.....	784	620	696
10.....	820	650	730

And in like proportion for intermediate ratios.

Five-eighths the values given for white pine shall also apply to chestnut and hemlock posts. For locust posts use one and one-half the value given for white pine.

SECTION 130.—COLUMNS ECCENTRICALLY LOADED.

Any column eccentrically loaded shall have the stresses caused by the eccentricity computed, and the combined stresses resulting from such eccentricity at any part of the column, added to all other stresses at that part, shall in no case exceed the working stresses stated in this Code.

The eccentric load of a column shall be con-

sidered to be distributed equally over the entire area of that column at the next point below at which the column is securely braced laterally in the direction of the eccentricity.

SECTION 131.—WORKING STRESSES.

The safe carrying capacity of the various materials of construction (except in the case of columns) shall be determined by the following working stresses in pounds per square inch of sectional area:

COMPRESSION (DIRECT).

Rolled steel.....	16,000	With Across
Cast steel.....	16,000	Grain.
Wrought iron.....	12,000	Grain.
Cast iron (in short blocks).....	16,000	
Steel pins and rivets (bearing).....	20,000	
Wrought iron pins and rivets (bearing).....	15,000	
Oak.....	900	800
Yellow pine.....	1,000	600
White pine.....	800	400
Spruce.....	800	400
Locust.....	1,800	1,000
Hemlock.....	500	500
Chestnut.....	500	1,000
Concrete (Portland) cement, 1; sand, 2; stone, 4.....	230	
Concrete (Portland) cement, 1; sand, 2; stone, 5.....	208	
Concrete, Rosendale, or equal, cement, 1; sand 2; stone, 4.....	125	
Concrete, Rosendale, or equal, cement, 1; sand, 2; stone, 5.....	111	
Rubble stonework in Portland cement mortar.....	140	
Rubble stonework in Rosendale cement mortar.....	111	
Rubble stonework in lime and cement mortar.....	97	
Rubble stonework in lime mortar.....	70	
Brickwork in Portland cement mortar; cement, 1; sand, 3.....	250	
Brickwork in Rosendale, or equal, cement mortar; cement, 1; sand, 3.....	208	
Brickwork in lime and cement mortar; cement, 1; lime, 1; sand, 6.....	160	
Brickwork in lime mortar; lime, 1; sand, 4.....	111	
Granites (according to test), 1,000 to.....	2,400	
Gneiss stone.....	1,200	
Limestones (according to test), 700 to.....	2,300	
Marbles (according to test), 600 to.....	1,200	
Sandstones (according to test), 400 to.....	1,600	
Bluestone.....	2,000	
Brick (hard-burned, flatwise).....	800	
Slate.....	1,000	

TENSION (DIRECT).

Rolled steel.....	16,000
Cast steel.....	16,000
Wrought iron.....	12,000
Cast iron.....	8,000
Yellow pine.....	1,200
White pine.....	800
Spruce.....	800
Oak.....	1,000
Hemlock.....	600

SHEAR.

Steel web plates.....	9,000
Steel shop rivets and pins.....	10,000
Steel field rivets.....	8,000
Steel field bolts.....	7,000
Wrought iron web plates.....	6,000
Wrought iron shop rivets and pins.....	7,500
Wrought iron field rivets.....	6,000
Wrought iron field bolts.....	5,500
Cast iron.....	3,000

	With Fiber.	Across Fiber.
Yellow pine.....	70	500
White pine.....	40	250
Spruce	50	320
Oak	100	600
Locust	100	720
Hemlock	40	275
Chestnut	..	150

SAFE EXTREME FIBER STRESS (BENDING).

Rolled steel beams.....	16,000
Rolled steel pins, rivets and bolts.....	20,000
Riveted steel beams (net flange section)	14,000
Rolled wrought iron beams.....	12,000
Rolled wrought iron pins, rivets and bolts	15,000
Riveted wrought iron beams (net flange section).....	12,000
Cast iron compression side.....	16,000
Yellow pine.....	3,000
Spruce	1,200
Oak	800
Locust	800
Hemlock	1,000
Chestnut	1,200
Granite	150
Gneiss stone.....	150
Limestone	150
Slate	400
Marble	120
Sandstone	100
Bluestone	300
Concrete (Portland) cement, 1; sand, 2; stone, 4.....	30
Concrete (Portland) cement, 1; sand, 2; stone, 5.....	20
Concrete (Rosendale or equal) cement, 1; sand, 2; stone, 4.....	16
Concrete (Rosendale or equal) cement, 1; sand, 2; stone, 5.....	10
Brick (hard-burned).....	50
Brickwork (in cement).....	30

SECTION 132.—WIND PRESSURE.

All structures exposed to wind shall be designed to resist a horizontal wind pressure of thirty pounds for every square foot of surface thus exposed, from the ground to the top of same, including roof, in any direction.

In no case shall the overturning moment due to wind pressure exceed seventy-five per centum of the moment of stability of the structure.

In all structures exposed to wind, if the resisting moments of the ordinary materials of construction, such as masonry, partitions, floors and connections, are not sufficient to resist the moment of distortion due to wind pressure taken in any direction on any part of the structure, additional bracing shall be introduced sufficient to resist the moment of distortion due to wind pressure, taken in any direction on any part of the structure, additional bracing shall be introduced sufficient to make up the difference in the moments.

In calculations for wind bracing the working stresses set forth in this Code may be increased by fifty per centum.

In buildings under one hundred feet in height, provided the height does not exceed four times the average width of the base, the wind pressure may be disregarded.

SECTION 133—PUBLIC BUILDINGS, THEATRES AND PLACES OF ASSEMBLAGE—PUBLIC BUILDINGS.

In all public buildings or buildings of a public character—

Such as hotels, churches, theatres, restaur-

ants, railroad depots, public halls and other buildings used or intended to be used for purposes of public assembly, amusement or instruction, and including department stores and other business and manufacturing buildings where large numbers of people are congregated, the halls, doors, stairways, seats, passageways and aisles, and all lighting and heating appliances and apparatus shall be arranged as the Inspector of Buildings shall direct to facilitate egress in cases of fire or accident, and to afford the requisite and proper accommodation for the public protection in such cases.

The Inspector of Buildings may at any time serve a written or printed notice upon the owner, lessee or manager of any such buildings, directing any act or thing to be done or provided in or about the said buildings and the several appliances herewith connected, such as halls, doors, stairs, windows, seats, aisles, fire walls, fire apparatus and fire escapes, as he may deem necessary.

THEATRES EXISTING PRIOR TO THE PASSAGE OF THIS ORDINANCE.

Nothing herein contained shall be construed to authorize or require any other alterations to theatres existing prior to the date of this Code than are specified in this section.

SECTION 134—THEATRES AND PLACES OF PUBLIC AMUSEMENT.

Every theatre or opera house, or other building intended to be used for theatrical or operatic purposes, or for public resort or entertainments of any kind, hereafter erected, for the accommodation of more than three hundred persons, shall be built to comply with the requirements of this section. No building which, at the time of the passage of this Code, is not in actual use for theatrical or operatic purposes, and no building hereafter erected not in conformity with the requirements of this section, shall be used for theatrical or operatic purposes, or for public entertainments of any kind, until the same shall have been made to conform to the requirements of this section.

No building hereinbefore described shall be opened to the public for theatrical or operatic purposes, or for public entertainment of any kind, until the Inspector of Buildings shall have approved the same in writing as conforming to the requirements of this section, nor until the Commissioners of the Fire Department shall have certified in writing that all the appliances for the extinguishing of fire or guarding against the same conform to this Code and to the special requirements of this section and are in a complete and satisfactory working condition.

Every such building shall have at least one front on the street, and in such front there shall be suitable means of entrance and exit for the audience.

In addition to the aforesaid entrances and exits on the street there shall be reserved for service in case of an emergency an open court or space on the side not bordering on the street, where said building is located on a corner lot; and on both sides of said building where there is but one frontage on the street. The width of such open court or courts shall be not less than seven feet where the seating capacity does not exceed one thousand people, exceeding one thousand and not more than eighteen hundred people, eight feet in width, and exceeding eighteen hundred people, ten feet in width. Said open court or courts shall begin on a line with or near the proscenium wall and shall extend the length of the auditorium proper to or near the wall

separating the same from the entrance lobby or vestibule.

A separate and distinct corridor shall continue to the street from each open court, through such superstructure as may be built on the street side of the auditorium, with continuous walls of brick or fireproof materials on each side the entire length of said corridor or corridors, and the ceiling and floors shall be fireproof. Said corridor or corridors shall not be reduced in width to more than three feet less than the width of the open court or courts, and there shall be no projection in the same; the outer openings to be provided with doors or gates opening toward the street. During the performance the doors or gates in the corridors shall be kept open by proper fastenings; at other times they may be closed and fastened by movable bolts or latches.

The said open courts and corridors shall not be used for storage purposes, or for any purpose whatsoever, except for exit and entrance from and to the auditorium and stage, and must be kept free and clear during performances.

The level of said corridors shall be graded to the sidewalk and made flush therewith at all points at the street entrances.

The entrance of the main front of the building shall not be on a higher level from the sidewalk than four steps, but this shall not preclude the use of an additional number of steps at the street entrances to the sides or rear of the building as may be necessary to overcome the difference in grades of sidewalks.

To overcome any difference of level in and between courts, corridors, lobbies, passages and aisles on the ground floor, gradients shall be employed of not over one foot in twelve feet with no perpendicular rises.

From the auditorium opening into the said open courts, or on the side street, there shall be not less than two exits on each side in each tier from and including the parquet and each and every gallery. Each exit shall be at least five feet in width in the clear and provided with fire doors constructed as hereinbefore in this Code described for fireproof doors. All of said doors shall open outwardly, and shall be fastened with movable bolts, the bolts to be kept drawn during performances.

There shall be balconies not less than four feet in width in the said open court or courts at each level or tier above the parquet on each side of the auditorium of sufficient length to embrace the two exits, and from said balconies there shall be staircases extending to the ground level, with a rise of not over eight and one-half inches to a step, and not less than nine inches tread exclusive of the nosing. The staircase from the upper balcony to the next below shall be not less than thirty inches in width in the clear, and from the first balcony to the ground three feet in width in the clear, where the seating capacity of the auditorium is for one thousand people or less; three feet and six inches in the clear where exceeding one thousand and not more than eighteen hundred people and not more than twenty-five hundred people, and four feet six inches in the clear where the seating capacity is more than twenty-five hundred people. All the before-mentioned balconies and staircases shall be constructed of wrought iron or steel throughout, except that the treads may be of cast iron, and be of ample strength to sustain the load to be carried by them, and they shall be covered with a metal hood or awning, to be constructed in such manner as shall be approved by the Inspector of Buildings.

Where one side of the building borders on a street there shall be balconies and staircases of like capacity and kind, as before mentioned, carried to the ground.

Where located on a corner lot that portion of the premises bordering on the side street

and not required for the uses of the theatre may, if such portion be of fireproof construction, and not more than twenty-five feet average width, be used for offices, stores or apartments, provided the walls separating this portion from the theatre proper are carried up solidly to and through the roof, and that an exit is provided for the theatre, on each tier, equal to the combined width of exits opening on opposite sides in each tier, communicating with balconies and staircases leading to the street in the manner provided elsewhere in this section.

Nothing herein contained shall prevent a roof garden, art gallery or rooms for similar purposes being placed above a theatre or public building, provided the floor of the same forming the roof over such theatre or building shall be constructed of iron or steel and fireproof materials, and that said floor shall have no covering boards or sleepers of wood, but be of tile or cement. Every roof over said garden or rooms shall have all supports and rafters of iron or steel, and be covered with glass or fireproof materials, or both, but no such roof garden, art gallery or room for any public purpose shall be placed over or above that portion of any theatre or other building which is used as a stage.

No workshop, storage or general property room shall be allowed above the auditorium or stage, or under the same, or in any of the fly galleries, unless all of such rooms or shops are located in the rear of or at the side of the stage, and in such cases they shall be separated from the stage by a brick wall not less than twelve inches in thickness, and the openings leading into said portions shall have self-closing standard fire doors.

No portion of any building hereafter erected, or altered, used or intended to be used for theatrical or other purposes as in this section specified, shall be occupied or used as a hotel, boarding or lodging house, factory, workshop or manufactory, or for storage purposes, except as may be hereafter specially provided for. Said restriction relates not only to that portion of the building which contains the auditorium and the stage, but applies also to the entire structure in conjunction therewith.

No store or room contained in the building, or the offices, stores or apartments adjoining, as aforesaid, shall be let or used for carrying on any business dealing in any article or material dangerous to life, except under such conditions as may be prescribed by the Fire Department, under authority of a written permit issued by said Department, or for manufacturing purposes.

No lodging accommodations shall be allowed in any part of the building communicating with the auditorium.

Interior walls built of fireproof materials shall separate the auditorium from the entrance vestibule, and from any room or rooms over the same; also from any lobbies, corridors, refreshment or other rooms; and in all such walls the window and door frames and all sash and doors shall be fireproof; the window frames and sash shall be of metal of standard construction and the sash made stationary and glazed with wired glass not less than one-quarter inch in thickness, and each pane or unit measuring not more than twenty-four by thirty inches; the doors shall be made to close automatically and be of standard pattern and make in every respect.

All staircases for the use of the audience shall be inclosed with walls of brick, or of fireproof materials approved by the Inspector of Buildings, in the stories through which they pass, and the openings to said staircases from each tier shall be the full width of staircase. No door shall open immediately upon a flight of stairs, but a landing at least the width of

the door shall be provided between such stairs and such door.

A fire wall, built of brick, not less than twelve inches in any portion of same, shall separate the auditorium from the stage, and the same shall extend at least four feet above the stage roof, or the auditorium roof, if the latter be the higher, and shall be cepted.

Above the proscenium opening there shall be an iron girder of sufficient strength to safely support the load above, and the same shall be covered with fireproof material not less than four inches in thickness.

Should there be constructed an orchestra over the stage, above the proscenium opening, the said orchestra shall be placed on the auditorium side of the proscenium fire wall, and shall be entered only from the auditorium side of said wall.

The molded frame around the proscenium opening shall be formed entirely of fireproof materials; if metal be used, the metal shall be filled in solid with non-combustible material and securely anchored to the wall with iron.

No doorway or opening through the proscenium wall from the auditorium shall be allowed above the level of the first floor, and such first floor openings shall have self-closing standard fire doors at each side of the wall, and openings, if any, below the stage shall have a self-closing standard fire door, and all of the said doors shall be hung so as to be opened from either side of the wall at all times.

There shall be provided over the stage metal skylights of an area or combined area of at least one-twelfth of the area of said stage, fitted with rolling sash and glazed with glass not exceeding one-eighth of an inch thick, and each pane thereof measuring not less than three hundred square inches. The rolling sash shall be fitted with brass wheels not less than one and one-half inches in diameter, and latter shall roll on brass tracks extending the entire length of the sash. The portion of the tracks extending from the edge of the curb of the skylight to the end of the incline may be made of iron.

The skylights shall be set on curbs, so that the lowest portion of the tracks upon which they slide shall be not less than twelve inches above the roof.

The whole of which skylight shall be so constructed as to open instantly on the cutting or burning of a hempen cord, which shall be arranged to hold said skylights closed, or some other equally simple approved automatic device for opening them may be provided. Immediately underneath the glass of said skylights there shall be wire netting, but wire glass shall not be used in lieu of this requirement.

The roof over the stage shall be provided with a shaft of galvanized iron extending from the ceiling line up through and at least four feet above the roof, and have a raised cover at the top for the escape of smoke. The least inside diameter, or the least horizontal measurement, if the shaft be of other shape than circular, shall be forty-eight inches. At the bottom of this shaft, on a plane with the ceiling, shall be a galvanized sheet iron door in two parts, each part separately hinged and kept closed by fusible links, so that in case of fire the doors will instantly open downwards by their own weight.

All that portion of the stage not comprised in the working of scenery, traps and other mechanical apparatus for the presentation of a scene, usually equal to the width of the proscenium opening, shall be built of iron or steel beams filled in between with fireproof material, and all girders for the support of said beams shall be of wrought iron or rolled steel.

The fly galleries and the tie galleries entire,

including pin rails, shall be constructed of iron or steel, and the floors of said galleries shall be composed of iron or steel beams, filled with fireproof materials, and no wood boards or sleepers shall be used as covering over beams, but the said floors shall be entirely fireproof.

The gridiron or rigging loft shall have a lattice iron floor, and be readily accessible by iron stairways.

All stage scenery, curtains and decorations made of combustible material, and all woodwork on or about the stage, shall be painted or saturated with some non-combustible material, or otherwise rendered safe against fire.

And the finishing coats of paint applied to all woodwork throughout the entire building shall be of such kind as will resist fire to the satisfaction of the Inspector of Buildings.

The roof over the auditorium and the entire main floor of the auditorium and vestibule, also the entire superstructure over the entrance, lobby and corridors, and all galleries and supports for the same in the auditorium shall be constructed of iron or steel and fireproof materials, not excluding the use of wood floor boards and necessary sleepers to fasten the same to, but such sleepers shall not mean timbers of support, and the space between the sleepers, excepting the portion under the stepping in the galleries, which shall be properly fire-stopped, shall be solidly filled with incombustible material up to the under side of the floor boards.

The fronts of each gallery shall be entirely formed of fireproof materials, except the capping, which may be made of wood.

The ceiling under each gallery shall be entirely formed of fireproof materials.

The ceiling of the auditorium shall be formed of fireproof materials.

All lathing, whenever used, shall be of wire or other metal on metal studding.

The partitions in that portion of the building which contains the auditorium, the entrance and vestibule, and every room and passage devoted to the use of the audience, shall be constructed of fireproof materials, including the furring of outside or other walls.

None of the walls or ceilings shall be covered with wood sheathing, wood wainscoting, canvas or any combustible material.

But this shall not preclude the construction of a wood sounding-board over orchestra pit when the same extends back of and below the overhang of the stage, provided the said wood sheathing be properly fire-stopped by a twelve-inch brick wall back of same, and also have a proper fireproof construction directly under the overhang of the stage extending from the brick wall to the apron of the stage.

Actors' dressing rooms shall not be placed on the stage, under the stage, over the stage, on the fly galleries, nor under the auditorium, but shall be placed in a separate section provided for that purpose.

The walls separating said section containing the actors' dressing rooms from the stage shall be not less than twelve inches in thickness, and the openings therefrom to stage shall be protected with standard self-closing fire doors. The partitions dividing the dressing rooms, together with the partitions of every passageway from the same to the stage, and all other partitions on or about the sides of the stage, or fireproof portion thereof, shall be constructed of fireproof material not less than four inches in thickness, approved by the Inspector of Buildings. All doors in any of said partitions shall be standard fire doors.

All dressing rooms shall have an independent exit leading directly into a court or street, and shall be ventilated by windows in the external wall.

All shelving and cupboards in each and every dressing room, property room or other storage rooms shall be constructed of metal, slate or some fireproof material.

All windows where accessible, except as this section otherwise specified, shall be arranged to open.

None of the windows in outside walls shall have fixed sashes, fixed iron grills or bars; these may be arranged to hinge and lock, but must be left unlocked during performances.

All seats in the auditorium excepting those contained in boxes shall be not less than thirty-two inches from back to back, measured in a horizontal direction, and firmly secured to the floor. No seat in the auditorium shall have more than six seats intervening between it and an aisle on either side.

No stool or seat shall be placed in any aisle.

All platforms in galleries formed to receive the seats shall be not more than twenty-four inches in height of riser, nor less than thirty-two inches in width of platform.

All aisles on the respective floors in the auditorium having seats on both sides of same shall be not less than three feet wide where they begin, and shall be increased in width toward the exits in the ratio of one and one-half inches to five running feet. Aisles having seats on one side only shall be not less than two feet six inches wide at their beginning and increased in width the same as aisles having seats on both sides.

The aggregate capacity of the foyer, lobbies, corridors, passages and rooms for the use of the audience, not including aisle space between seats, shall on each floor or gallery be sufficient to contain the entire number to be accommodated on said floor or gallery, in the ratio of one hundred and fifty superficial feet of floor room for every one hundred persons.

Gradients or inclined planes shall be employed instead of steps where possible to overcome slight differences of level in or between aisles, corridors and passages.

Every theatre accommodating three hundred persons shall have at least two exits; when accommodating five hundred persons, at least three exits shall be provided; these exits not referring to or including the exits to the open court at the side of the theatre.

Doorways of exit or entrance for the use of the public shall be not less than five feet in width, not including the fire exit doorways, and for every additional one hundred persons or fraction thereof in excess of five hundred to be accommodated an aggregate of twenty inches additional exit width must be provided.

All doors of exit or entrance shall open outwardly and be hung to swing in such manner as not to become an obstruction in a passage or corridor, and no such doors shall be closed and locked when the building is open to the public.

Distinct and separate places of exit and entrance shall be provided for each gallery above the first gallery.

A common place of exit and entrance may serve for the main floor of the auditorium and first gallery, provided its capacity be equal to the aggregate capacity of the outlets from the main floor and the said gallery.

No passage leading to any stairway communicating with any entrance or exit, not including fire exits, shall be less than four feet in width in any part thereof.

All stairs within the building shall be constructed of fireproof material throughout, as is elsewhere in this Code required.

Stairs from balconies and galleries shall not communicate with the basement or cellar.

All stairs shall have treads of uniform width and risers of uniform height throughout in each flight.

No stairways from galleries shall be less than four feet in width. Where accommodation is provided in a gallery for more than one hundred people there shall be at least two stairs extending to the ground arranged on opposite sides of gallery, and for every additional fifty people or fraction thereof in excess of the first one hundred to be accommodated six inches shall be added to the width proportionately divided between the two flights.

The width of all stairs shall be measured in the clear between hand rails.

In no case shall the risers of any stairs exceed seven and a half inches in height, nor shall the treads, exclusive of nosings, be less than ten and one-half inches wide in straight stairs.

No circular or winding stairs for the use of the public shall be permitted.

Where the seating capacity is for more than one thousand people there shall be at least two independent staircases, with direct exterior outlets provided for each gallery in the auditorium; where there are not more than two galleries, the stairs shall be located on opposite sides of said galleries. Where there are more than two galleries one or more additional staircases shall be provided, the outlets from which shall communicate directly with the principal exit or other exterior outlets. All said staircases shall be of width proportioned to the gallery accommodation as elsewhere herein prescribed. Where the seating capacity is for one thousand people, or less, two direct lines of staircases only shall be required, located on opposite sides of the galleries, and in both cases shall extend from the sidewalk level to the upper gallery, with outlets from each gallery to each of said staircases.

At least two independent direct exterior outlets shall be provided for the service of the stage and shall be located on the opposite sides of the same.

All inside stairways leading to the upper galleries of the auditorium shall be inclosed on both sides with walls of fireproof materials. Stairs leading to the first or lower gallery may be left open on one side, in which case they shall be constructed as herein provided for similar stairs leading from the entrance hall to the main floor of the auditorium. But in no case shall stairs leading to any gallery be left open on both sides.

When straight stairs return directly on themselves a landing the full width of both flights, without any steps, shall be provided. The outer line of landings shall be curved to a radius of not less than two feet to avoid square angles. Stairs turning at an angle shall have proper landing without winders introduced at said turn. In stairs, when two side flights connect with one main flight, no winders shall be introduced, and the width of the main flight shall be at least equal to the aggregate width of the side flights. All stairs shall have proper landings introduced at convenient distances.

All inclosed staircases shall have, on both sides, strong hand rails firmly secured to the wall about three inches distant therefrom and about three feet above the stairs, but said hand rails shall not run on level platforms and landings where the same are of greater length than the width of the stairs.

All staircases eight feet and over in width shall be provided with a center hand rail of metal, not less than two inches in diameter, placed at a height of about three feet above the center of the treads, and supported on wrought metal or brass standards of sufficient strength placed not nearer than four feet nor more than six feet apart, and securely bolted to the treads or risers of stairs, or both, and at the head of each flight of stairs, on each landing, the post or standards shall be at

east six feet in height, to which the rail shall be secured.

Every steam boiler which may be required or heating or other purpose shall be located outside of the building, either under sidewalk or in an extension, but in no case under or within any portion of the building used for theatrical purposes, and the space allotted to the same shall be inclosed by walls of masonry on all sides, and the ceiling of such space shall be constructed of fireproof materials. All doorways in said walls connecting with the building shall have standard automatic sliding fire doors.

No floor register for heating, ventilating or other purposes shall be permitted.

No coil or radiator shall be placed in any aisle or passageway used as an exit, and hereby reduce the same to less than the width required by this section; but all said coils and radiators shall be placed in recesses formed in the wall or partition to receive the same.

All supply, return or exhaust pipes shall be properly incased where passing through floors or near woodwork.

Standpipes of not less than four inches in diameter shall be provided with hose connection as follows: One on each side of the auditorium in each tier, one on each side of the stage in each tier, one within ten feet of the floor of the property room, one within ten feet of the door of the carpenter's shop and scenery storage room.

All of such standpipes and hose connections shall be kept clear of obstructions.

Said standpipes shall receive their supply of water from a gravity tank located over stage roof, bottom of tank at least twelve feet above highest point of roof, and not less than five thousand gallons capacity, and in addition at least one of the following supplies:

(a) Approved steel pressure tank of not less than five thousand gallons total capacity located on stage roof or not lower than gridiron floor.

(b) Automatic fire pump of not less than five hundred gallons capacity per minute.

(c) From city mains where pressure is not less than twenty-five pounds per square inch at level of highest hose outlet.

Pipe shall be fitted with approved straightway composition gate valves at hose outlets, and the thread of all connections shall be uniform with that in use by the local Fire Department.

One spanner to be located at each hose connection.

Pipes shall be kept constantly filled with water under pressure and be ready for immediate use at all times.

In addition to the requirements contained in this section the standpipes shall have a Siamese steamer connection and conform to all other requirements contained in Section 116 of this Code, covering standpipe installation.

A sufficient quantity of approved line, cotton rubber lined, or rubber hose, not less than two and one-half inches in diameter, in fifty foot lengths, but not less than fifty feet in total length, shall be kept attached to each hose connection. Hose shall be fitted with washers and equipped with couplings and nozzles, the thread of which shall be uniform with that in use by the local Fire Department.

The standpipe equipment above described to be installed independently of and without connection to the automatic sprinkler system required under this section.

A system of automatic sprinklers approved by the Inspector of Buildings and the Commissioners of the Fire Department shall be installed throughout the entire stage section of the theatre located in the rear of the proscenium wall; this to include under roof, under gridiron, under galleries, under the stage, in all dressing-rooms, in all workshops, property and all other rooms and passageways.

There shall be an independent water supply to the sprinklers, which may consist of any one of the following:

(a) Gravity tank of not less than ten thousand gallons capacity, and elevated not less than twenty-five feet above the highest sprinkler.

(b) Approved steel pressure tank of not less than seven thousand five hundred gallons capacity, located not lower than the highest line of sprinklers.

(c) Direct supply from city water mains where the pressure is sufficient to maintain not less than twenty-five pounds at highest line of sprinklers when same are in operation.

In addition to one or more of the above required supplies there shall be a Siamese steamer connection placed on the outside of the building at each street front, installed as described in Section 116, and with suitable iron plate with raised letters securely attached to the wall near steamer connection, reading "Stage Sprinklers."

The location and spacing of sprinkler heads and the schedule of pipe sizes shall conform to the standard recommended by the National Board of Fire Underwriters, which is hereby made a part of the requirements of this Code.

There shall be kept in readiness for immediate use one forty-gallon cask filled with water and six fire pails on each side of the stage, under the stage, on each fly gallery, and a supply of fire pails in property and other storerooms and in each workshop; said casks and buckets shall be painted red and lettered "For Fire Purposes Only."

There shall also be provided six three-gallon approved chemical fire extinguishers, at least four axes, two twenty-foot hooks, two fifteen-foot hooks and two tenfoot hooks on the stage, and such other appliances as may be required by the Commissioners of the Fire Department.

Every portion of the building devoted to the uses or accommodation of the public, also all outlets leading to the streets, and including the open courts and corridors, shall be well and properly lighted during every performance, and the same shall remain lighted until the entire audience has left the premises.

There shall be one light within a red globe or lantern, placed over each exit opening, on the auditorium side of the wall.

Gas mains and electric light wires supplying the building shall have three independent connections as follows: One for the stage, one for the auditorium, excepting the exit lights therein, and the third for the halls, corridors, lobbies, exit lights, including the exit light in the auditorium, and such other portions of the building used by the audience outside of the auditorium proper.

All gas and electric lights in the halls, corridors, lobbies and other portions of the building used by the audience, with the exception of the auditorium proper, but including the exit lights therein, shall be controlled by two separate switches or valves, one to be located in the lobby and the other to be so located as to be operated from the outside of the building.

Provision shall be made for shutting off all gas at a point outside of the building.

When interior gaslights are not lighted by electricity other suitable appliances, to be approved by the Inspector of Buildings, shall be provided.

All suspended or bracket lights surrounded by glass in the auditorium, or in any part of the building devoted to the public, shall be provided with proper wire netting underneath.

No gas or electric light shall be recessed in the walls, woodwork, ceilings or in any part of the building unless protected by fireproof materials.

All lights in passages and corridors in said buildings, and wherever else deemed necessary

by the Inspector of Buildings, shall be guarded with proper wire network.

The footlights, when not electric, in addition to the wire network shall be guarded with strong wire guard and chain drawn taut placed not less than two feet distant from said footlights, and the trough containing said footlights shall be formed of and surrounded by fireproof materials.

All border lights shall be constructed according to the best-known methods, and subject to the approval of the Inspector of Buildings, and shall be suspended for not less than ten feet therefrom by wire rope or iron chain.

All ducts or shafts used for conducting heated air from the main chandelier, or from any other light or lights, shall be constructed of metal and made double, with an air space between, or some other approved fireproof material may be used.

All stage lights shall have strong metal wire guards or screens, not less than eight inches in diameter, so constructed that any material in contact therewith shall be out of reach of the flames of said stage lights, and such guards or fixtures shall in all cases be soldered to the fixture.

The bridge, calcium lights at sides of proscenium shall be inclosed in front and on the side by galvanized iron, so that no drop can come in contact with the lights. Electric calciums, so called, are included in the above requirement.

The standpipes, gas pipes, electric wires, hose footlights and all apparatus for the extinguishing of fire or guarding against the same, as in this section specified, shall be installed to the satisfaction of and be in charge of and under control of the Commissioners of the Fire Department, and the said Commissioners are hereby directed to see that the arrangements in respect thereto are carried out, enforced and maintained.

A diagram or plan of each tier, gallery or floor, showing distinctly the exits therefrom, each occupying a space not less than fifteen square inches, shall be printed in black lines in a legible manner on the programme of the performance.

Every exit shall have over the same on the inside the word EXIT painted in legible letters not less than eight inches high.

SECTION 135 — DRAINAGE — DRAINAGE AND REPAIRS THERETO.

The drainage of all buildings, both public and private, shall be performed in accordance with the rules and regulations of the Inspector of Buildings and the Department of Health.

Repairs or alterations of such plumbing or drainage may be made without the filing and approval of drawings and descriptions with the Inspector of Buildings.

But such repairs or alterations shall not be construed to include cases where new vertical or horizontal lines of soil, waste, vent or leader pipes are proposed to be used.

Notice of such repairs or alterations shall be given to the said Inspector before the same are commenced in such cases as shall be prescribed by the rules and regulations of the said Inspector, and the work shall be done in accordance with the said rules and regulations.

SECTION 136—BUILDINGS RAISED, LOWERED, ALTERED OR MOVED.

Within the fire limits it shall not be lawful for the owner or owners of any brick dwelling house with eight-inch walls or of any wood building already erected that has a peaked roof to raise the same for the purpose of

making a flat roof thereon unless the same be raised with the same kind of material as the building, and unless such new roof be covered with fireproof material.

BUILDINGS INCREASED IN HEIGHT.

And provided that such building, when so raised, shall not exceed forty feet in height to the highest part thereof.

All such buildings must exceed twenty-five feet in height to the peak of the main roof before the said alteration and raising.

In increasing the height of any such building the entire area which such building covers may be raised to a uniform height.

BUILDINGS ENLARGED.

If any such building has an extension of less width than the main building the same may be increased in width to the full width of the main building with the same kind of material and to the same height as the main building.

Any such building may be extended either on the front or rear to a depth of not more than twenty feet and not more than the width of the building, and to the full height with the same kind of material as the building.

IN A ROW OF FRAME BUILDINGS.

Any frame building situated in a row of frame buildings may be increased in height to conform to the height of adjoining buildings.

WHERE GRADE OF STREET HAS BEEN ALTERED.

If any building shall have been built before the street upon which it is located is graded, or if the grade is altered, such building may be raised or lowered to meet the requirement of such grade.

The restrictions contained in this section shall not prohibit one-story and basement or two-story frame dwelling houses from being increased one additional story in height, but the additional story shall be brick construction.

FRAME BUILDINGS ALTERED FOR BUSINESS USES.

Within the fire limits no frame building more than three stories in height now used as a dwelling shall hereafter be raised or altered to be used as a factory, warehouse or stable, but the same may be raised to make stores on the first floor provided the same does not exceed forty feet in height.

MOVING FRAME BUILDINGS.

No wood building within or without the fire limits shall be moved from one lot to another until a statement, setting forth the purpose of said removal and the uses to which said building is to be applied, is filed in the Inspector of Buildings office, and a permit be first obtained therefor.

No wood building shall be moved from without to within the fire limits, but may be moved out of the said fire limits.

BRICK BUILDINGS ENLARGED OR RAISED.

Within the fire limits no brick building shall be enlarged or built upon unless the exterior walls of said addition or enlargement be constructed of incombustible materials; provided, however, that such brick building may be raised, lowered or altered under the same circumstances and in the manner provided for in this section.

SECTION 137—FIRE LIMITS.

No frame structure or wood structure shall be built hereafter in the City of Hoboken within the fire limits, as the limits now are or from time to time may hereafter be established, except as provided in Section 141 of this Code, and also excepting grain elevators, coal elevators and pockets, ice houses and exhibition buildings as provided for in Section 101 and 101A of this Code.

FIRE LIMITS.

The following described district shall be known as restricted district showing fire limits, and its boundaries are described as follows:

All that section of the City of Hoboken which lies east of a line distant 100 feet west of the west house line of Willow avenue.

SECTION 138—FRAME OR WOODEN BUILDING, DEFINITION OF.

For the purpose of properly construing this Code a frame or wooden building shall be considered to be any building on which the front, back or either side is constructed of wood, or is supported by a wood frame or the design of which answers to either of these descriptions, whether sheathed outside with metal or not, shall be taken and designated as a frame or wooden building, and the erection or preparations for the erection of any such building shall be subject to the provisions of this Code.

SECTION 139—HEIGHT OF FRAME BUILDINGS.

It shall not be lawful hereafter to erect in the City of Hoboken a frame or wooden building of the warehouse class of a greater height than thirty-five feet or more than two stories in height, measured from the curb line of the street to the highest point of said building.

SECTION 140—FRAME STRUCTURES WITHIN FIRE LIMITS.

The provisions in this section contained shall apply to buildings and structures, whether temporary or permanent, within the fire limits, as the said fire limits now are or from time to time may hereafter be established.

TEMPORARY FRAME BUILDINGS.

Temporary one-story frame buildings may be erected for the uses of builders within the limits of lots whereon buildings are in course of erection or on adjoining vacant lots, upon permits issued by the Inspector of Buildings. Temporary structures shall be taken to mean and include platforms, stands, election booths and circus tents.

SHEDS.

Sheds of wood not over fifteen feet high, open on at least one side, with the sides and roof thereof covered with fireproof material, may also be built, but a fence shall not be used as the back or side thereof.

Such sheds shall not cover an area exceeding 2,500 square feet except by permission of the Inspector of Buildings in isolated localities and under such conditions as the said Inspector may prescribe.

FENCES.

Fences of any construction when built on the building lines shall not exceed a height of ten feet above the surface of the ground.

And when built beyond the building lines they shall be of open picket design and not higher than five feet above the surface of the ground. All fences shall be properly supported and braced.

SIGNS.

Signs of wood shall not exceed two feet in height on any building, but no sign of wood shall be placed above the front wall or cornice or roof of any building.

Sky signs or any device in the nature of an advertisement, announcement or direction constructed of sheet metal or wire fastened to wood frames supported upon or above or attached to any building shall be deemed to be wood signs.

If such sky signs shall exceed two feet in height they shall be constructed entirely of metal, including the uprights, supports and braces for same, and shall be not more than ten feet in height above the front wall or cornice or roof of the building or structure to which they are attached or by which they are supported.

Before any wood or metal sign shall be placed in position upon, above or attached to the outside of any building a permit shall first be obtained from the Inspector of Buildings.

Such sign shall be so constructed, placed and supported as not to be or become dangerous.

All signs which shall be dangerous in any manner whatever shall be repaired and made safe or taken down by the owner, lessee or occupant of the building.

BILLBOARDS.

No sign or billboards of wood or metal erected upon uprights or other supports extending into the ground shall be at any point more than ten feet above the surface of the ground, and the same shall be properly supported and braced.

PIAZZAS AND BALCONIES.

Piazas or balconies of wood on buildings other than frame buildings which do not exceed eight feet in width, and which do not extend more than three feet above the second-story floor beams, may be erected, provided a permit from the Inspector of Buildings be granted therefor.

In connected houses such piazzas or balconies may be built, provided the same are open on the front and have brick ends not less than eight inches thick carried up above the roof of such piazza or balcony and coped with stone.

The roofs of all piazzas shall be covered with some fireproof material.

Frame buildings already erected may have placed on any story piazzas, balconies or bay windows of wood, the roofs of which may be covered with the same material as the roof of the main building.

SMALL OUTHouses OF WOOD.

Exterior privies and wood or coal houses not exceeding one hundred and fifty square feet in superficial area and eight feet high may be built of wood, but the roofs thereof shall be covered with metal, gravel or slate.

SECTION 141—FRAME BUILDINGS DAMAGED.

Every wood or frame building, with a brick or other front, within the fire limits, which may hereafter be damaged to an amount not greater than one-half of the value thereof, exclusive of the valuation of the foundation thereof at the time of such damage, may be repaired or rebuilt;

But if such damage shall amount to more than one-half of such value thereof, exclusive of the value of the foundation, then such building shall not be repaired or rebuilt, but shall be taken down, except as provided in this Code.

SECTION 142—FOUNDATION WALLS FOR FRAME BUILDINGS.

Foundations for frame buildings shall be laid not less than four feet below the finished surface of the earth or upon the surface where there is rock bottom or upon piles or raftering timbers where found necessary.

FOUNDATION WALLS FOR FRAME BUILDINGS.

The foundation walls of frame buildings shall be of brick or concrete not less than twelve inches thick.

SECTION 143—FRAME CONSTRUCTION.

All frame or wood buildings exceeding a height of fifteen feet shall be built with sills, posts, girts, plates and rafters, all of suitable size and properly framed and braced with suitable studs or planks, set at proper distance apart.

The floor beams and rafters shall be not less than two inches in thickness.

The covering of roofs with wood shingles is hereby prohibited. The walls of light, vent and dumbwater shafts, whether exterior or interior, in frame buildings, may be constructed of frame, but shall be brick filled and lined with plaster board and two coats of mortar.

Frame buildings shall be roofed only with such materials as are specified in Section 113 of this Code, including in the requirement the covering of the tops and sides of dormer windows.

Nothing in this section shall be construed to prohibit the repairing of any shingle roof, provided the building is not altered in height, but this shall not be construed to permit the renewal of a shingle roof.

Posts of hard wood and wood girders may be used instead of brick fore and aft partitions in cellars of frame buildings.

SECTION 144—FIRE STOPS.

In all frame buildings which are lathed and plastered or otherwise sheathed on the inside spaces between such parts of the floor joist or beams that rest upon the stud walls or upon partition heads shall be filled in solid for the depth of the joist or beams and between the studs or uprights to the depth of the latter to a height of six inches above the top of the floor joists or beams with suitable incombustible materials. The fire stop shall extend around all the stud walls of the building, supporting the filling material where necessary on strips of wood nailed between studs, and in all stud partitions that rest directly over each other, and thus form a horizontal line of incombustible material to effectually cut off draft openings from story to story through floors, stud walls and partitions.

DRAINAGE AND HEATING OF FRAME BUILDINGS.

The regulations applying to brick buildings governing drainage and heating, also steam and hot-air pipes and registers, where the same extend through or along stud partitions, shall also apply to frame buildings.

SECTION 145—FRAME BUILDINGS ALTERED.

Frame buildings may be altered, extended, raised or repaired, provided the new portions comply with the provisions of this Code.

SECTION 146—INSPECTOR OF BUILDINGS—RULES AND REGULATIONS—RECORD OF APPLICATIONS—ORDINANCES, ETC.

The Common Council shall appoint in such manner as they may determine an Inspector of Buildings. He shall be a resident of the City of Hoboken, and who shall serve for the term of two years from the date of appointment and until his successor shall be appointed. He shall be either an architect, carpenter, mason, engineer (civil), or other mechanic. He shall not be engaged in any other business during his incumbency of office, and shall not be an agent, directly or indirectly, of any manufacturer of building material or device. The annual salary of such Inspector of Buildings shall be the sum of eighteen hundred (\$1,800) dollars, payable monthly, and said salary shall be in full payment of all services whatever rendered by such Inspector. The Common Council shall appoint an Assistant Inspector of Buildings, who shall serve for the term of one year from the date of appointment, and until his successor is appointed. The annual salary of such Assistant shall be twelve hundred (\$1,200) dollars a year, payable monthly.

THE INSPECTOR OF BUILDINGS.

The Inspector of Buildings shall have power to vary or modify any of the provisions of this Code or any rule or regulation relating to the construction, alteration or removal of any building or structure erected or to be erected within the City of Hoboken upon an application to him therefor in writing by the owner or lessee of such building or structure or his duly authorized agent, where there are practical difficulties in the way of carrying out the strict letter of this Code, so that the spirit of this Code shall be observed and public safety secured and substantial justice done; but no such variation or modification shall be granted or allowed unless the particulars of each application and of the decision of the said Inspector thereon and his reasons therefor shall be entered upon the records.

The Assistant Inspector of Buildings shall perform such duties as may be assigned to him by the Inspector of Buildings.

RULES AND REGULATIONS.

The Inspector of Buildings shall have the power to establish general rules and regulations for the administration of his office; also rules and regulations for the drainage of buildings, as prescribed in section 136 of this Code; also such other rules and regulations as may be by him deemed advisable or necessary to make in giving full force and effect to the carrying out of the provisions of this Code; and he may amend and repeal such rules and regulations when, in his opinion, it shall be necessary or desirable.

RECORD OF APPLICATIONS.

The Inspector of Buildings shall keep a record of all applications presented to him concerning, affecting or relating to the construction, alteration or removal of buildings or other structures.

Such record shall include the date of the filing of each such application; the name and address of the owner of the land on which the building or structure mentioned in such application is situated; names and addresses of the architect and builder employed thereon; a designation of the premises by street number, or otherwise, sufficient to identify the same; a statement of the nature and proposed use of such structure, and a brief statement of the

nature of the application, together with a memorandum of the decision of the said Inspector upon such application, and the date of the rendition of such decision. Each application for a new or altered building or structure shall be respectfully and consecutively numbered in the date and order of filing. The books containing such records, and all plans, statements and other papers relating to such application are hereby declared to be public records, and shall be open to inspection at all reasonable times, but such inspection shall not include the right to copy any plan on file in the office of the Inspector of Buildings, and the copying of any filing, drawing, tracing or print is hereby forbidden.

SECTION 147—APPEALS AND MODIFICATIONS.

The Inspector of Buildings shall have the power and it shall be his duty to pass upon any question relative to the Code, manner of construction or materials to be used in the erection or alteration of any building or other structure erected or to be erected within the City of Hoboken which is included within the provisions of this Code and other ordinances, and the regulations of the Inspector of Buildings relating to the construction, alteration or removal of buildings or other structures, and to require that such mode, manner of construction or materials shall conform to the true intent and meaning of the several provisions of the said Code and other ordinances and the rules and regulations of the Inspector of Buildings.

SECTION 148—VIOLATIONS AND PENALTIES—COURTS HAVING JURISDICTION.

The owner or owners of any building, structure or part thereof, or wall, or any platform, staging or flooring to be used for standing or seating purposes, where any violation of this Code shall take place, or shall exist, and any architect, civil engineer, builder, plumber, carpenter, mason, contractor, sub-contractor, foreman or any other person who may be employed or assist in the commission of any such violation, and any and all persons who shall violate any of the provisions of this Code or fail to comply therewith, or any requirements thereof, or who shall violate or fail to comply with any order or regulation made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or of any certificate or permit issued thereunder, shall severally for each and every such violation and non-compliance, respectively, upon conviction thereof before the Recorder shall forfeit and pay a penalty or fine of fifty dollars.

Any and all of the aforementioned persons who, having been served with a notice as hereinafter prescribed, to remove any violation or comply with any requirement of this Code, or with any order or regulation made thereunder, shall fail to comply with said notice within ten days after such service in the respect named in said notice, shall upon conviction thereof before the Recorder forfeit and pay an additional fine or penalty of fifty dollars; or, after having paid the above fine or penalty, shall fail to comply with said notice within a reasonable time and shall continue to violate any requirement of this Code in the respect named in such notice, shall upon conviction thereof before the Recorder forfeit and pay a fine or penalty of fifty dollars.

SECTION 149—PROCEEDINGS OF LAW.

Whenever the Inspector of Buildings is satisfied that any building or structure, or any portion thereof, or any drainage, the erection, alteration or construction, execution or repair of which is regulated, permitted or forbidden by this Code is being erected, constructed, altered or repaired or has been erected, constructed or repaired or altered in violation of, or not in compliance with, any of the provisions or requirements of this Code, or in violation of any detailed statement of specifications or plans submitted and approved thereunder, or of any certificate or permit issued thereunder, or that any provision or requirement of this Code, or any order or direction made thereunder, has not been complied with, or that the plans and specifications for drainage have not been submitted or filed as required by this Code, the Inspector of Buildings may, in his discretion, through the Corporation Attorney, institute any appropriate action or proceeding, at law or in equity, in the name of the city, to restrain, correct or remove such violation, or the execution of any work thereon, or to restrain or correct the erection or alteration of, or to require the removal of, or to prevent the occupation or use of the building or structure erected, constructed or altered in violation of, or not in compliance with, any of the provisions of this Code, or with respect to which the requirements of this Code, or of any order or direction made pursuant to any provisions contained in this Code, shall not have been complied with.

SECTION 150—NOTICES OF VIOLATIONS OF CODE.—SERVICE OF PAPERS.

All notices of the violation of any of the provisions of this Code, and all notices directing anything to be done required by this Code, and all other notices that may be required or authorized to be issued thereunder, including notice that any building, structure, premises, or any part thereof, are deemed unsafe or dangerous, shall be issued by the Inspector of Buildings, and shall have his name affixed thereto, and may be served by any person authorized by the said Inspector.

All such notices may be served by delivering to and leaving a copy of the same with any person or persons violating or who may be liable under any of the several provisions of this Code, or to whom the same may be addressed, and if such person or persons cannot be found after diligent search shall have been made for him or them, then such notice or order may be served by posting the same in a conspicuous place upon the premises where such violation is alleged to have been placed or to exist, or to which such notice or order may refer, or which may be deemed unsafe or dangerous, which shall be equivalent to a personal service of said notice or order upon all parties for whom such search shall have been made.

Such notice or order shall contain a description of the building, premises or property on which such violation shall have been put or may exist, or which may be deemed unsafe or dangerous, or to which such notice or order may refer.

If the person or persons or any of them to whom said notice or order is addressed do not reside in the State of New Jersey and have no known place of business therein the same may be served by delivering to, and leaving with, such person or persons, or either of them, a copy of said notice or order, or if said person or persons cannot be found within said State after diligent search, then by posting a copy of the same in manner as aforesaid and depositing a copy thereof in a post office in the City of Hoboken inclosed in a sealed wrapper

addressed to said person or persons at his or their last-known place of residence, with the postage paid thereon; and said posting and mailing a copy of said notice or order shall be equivalent to personal service of said notice or order.

SECTION 151—UNSAFE BUILDINGS, SURVEYS, COURT PROCEEDINGS.

Any building or buildings, part or parts of a building, staging or other structure in the City of Hoboken that from any cause may now be or shall at any time hereafter become dangerous or unsafe may be taken down and removed, or made safe and secure, in the manner following:

Immediately upon such unsafe or dangerous building or buildings, or part or parts of a building, staging or structure being so reported to the Inspector of Buildings, the same shall be immediately entered upon a docket of unsafe buildings to be kept by the Inspector of Buildings;

And the owner or some one of the owners, executors, administrators, agents, lessees or any other person or persons who may have a vested or contingent interest in the same, may be served with a printed or written notice containing a description of the premises or structure deemed unsafe or dangerous, requiring the same to be made safe and secure or removed, as the same may be deemed necessary by the Inspector of Buildings, which said notice shall require the person or persons thus served to immediately certify to the said Inspector his or their assent or refusal to secure or remove the same.

SECTION 152—RECOVERY OF BODIES UNDER FALLEN BUILDINGS—BUILDINGS IN DANGER OF FALLING—STOPPAGE OF WORK ON BUILDINGS.

In case of the falling of any building or part thereof in the City of Hoboken where persons are known or believed to be buried under the ruins thereof it shall be the duty of the Board of Fire Commissioners to cause an examination of the premises to be made for the recovery of the bodies of the killed and injured.

Whenever, in making such examination, it shall be necessary to remove from the premises any debris, it shall be the duty of the Commissioners of any and all others of the Departments of the City of Hoboken, when called upon by the Inspector of Buildings to co-operate, and to provide a suitable and convenient dumping place for the deposit of such debris.

BUILDINGS IN IMMEDIATE DANGER OF FALLING.

In case there shall be, in the opinion of the Inspector of Buildings, actual and immediate danger of the falling of any building or part thereof so as to endanger life or property, said Inspector shall cause the necessary work to be done to render said building or part thereof temporarily safe until the proper proceedings can be taken as in the case of an unsafe building as provided for in this Code.

The Inspector of Buildings is hereby authorized and empowered in such cases, and also where any building or part thereof has fallen, and life is endangered by the occupation thereof, to order and require the inmates and occupants of such building or part thereof to vacate the same forthwith.

And said Inspector may, when necessary for the public safety, temporarily close the side-

walks and streets adjacent to such building or part thereof, and prohibit the same from being used, and the Police Department when called upon by the said Inspector of Buildings to co-operate, shall enforce such orders or requirements.

TO PERFORM THE HUMANE WORK.

For the aforesaid purposes the said Commissioners of the Fire Department or the Inspector of Buildings, as the case may be, shall employ such laborers and materials as may be necessary to perform said work as speedily as possible.

'SECTION 153—STOPPAGE OF WORK ON BUILDINGS.

In case there shall be, in the opinion of the Inspector of Buildings, danger to life or property by reason of any defective or illegal work, or work in violation of or not in compliance with any of the provisions of this Code, the Inspector of Buildings or such person as may be designated by him shall have the right, and he is hereby authorized and empowered to order all further work to be stopped in said building, and to require all persons in and about said building to forthwith vacate the same, and to cause such work to be done in or about the building as in his judgment may be necessary to remove any danger therefrom.

And the Inspector of Buildings may, when necessary for the public safety, temporarily close the sidewalks and streets adjacent to said building, or part thereof, and the Police Department, when called upon by the Inspector of Buildings to co-operate, shall enforce such orders or requirements:

INSPECTOR OF BUILDINGS MAY ENTER BUILDINGS AND PREMISES.

The Inspector of Buildings or his assistant, so far as it may be necessary for the performance of their respective duties, shall have the right to enter any building or premises in the City of Hoboken.

Any complaint made to the Commissioners of the Fire Department by any citizen that any building, structure or premises are in a dangerous or unsafe condition shall be investigated by said Commissioners, and if upon investigation the complaint is well founded the said Commissioners shall take action as herein provided.

SECTION 154—EXISTING SUITS AND LIABILITIES.

Nothing in this Code contained shall be construed to affect any suit or proceedings now pending in any court, or any rights acquired, or liability incurred, nor any cause or causes of action accrued or existing, under any act or ordinance repealed hereby. Nor shall any right or remedy of any character be lost, impaired or affected by this Code.

SECTION 155—INVALIDITY OF ONE SECTION NOT TO INVALIDATE ANY OTHER.

The invalidity of any section or provision of this Code shall not invalidate any other section or provision thereof.

SECTION 156.—REPEALING SECTION.

All former ordinances of the City of Hoboken affecting or relating to the Construction, Alteration or Removal of Buildings or other Structures, and all other ordinances or parts thereof inconsistent herewith, are hereby repealed.

SECTION 157—DATE WHEN ORDINANCE
IS TO TAKE EFFECT.

This ordinance, to be known as the Building Code, shall take effect immediately after its approval by the Mayor or passage over his veto.

Passed by the Council November 23, 1910.

RICHARD F. BUCKLEY,
Chairman of the Council.

Approved November 30, 1910.

GEORGE GONZALES,
Mayor.

Attest:

JAMES H. LONDRIGAN,
City Clerk.

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UNION BUILDING.

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TENEMENT HOUSE ACT.

APPROVED March 25, 1904.

AMENDMENTS Approved March 31, 1905.

For the convenience of the public the amended paragraphs of the Tenement House act have been incorporated in this edition of the law, so that the entire act, as amended by the last Legislature, is here presented.

An act to improve the condition of tenement-houses in this State and to establish a State board of tenement-house supervision.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

ARTICLE I.

SECTION 1.

1. Certain words used in this act are defined, for the purposes thereof, as follows:

2. A tenement-house is any house or building or portion thereof which is rented, leased, let or hired out to be occupied or is occupied as the home or residence of three families or more, living independently of each other and doing their cooking upon the premises, or by more than two families upon any floor, so living and cooking, but having a common right in the halls, stairways, yards, water-closets or privies or some of them.

3. A yard is an open, unoccupied space on the same lot with a tenement-house, between the extreme rear line of the house and the rear line of the lot.

4. A court is an open, unoccupied space other than a yard, on the same lot with a tenement-house; a court not extending to the street or yard is an inner court; a court extending to the street or yard is an outer court; if it extends to the street it is a street court; if it extends to the yard it is a yard court.

5. A shaft includes exterior and interior shafts, whether for air, light, elevator, dumb-waiter or any other purpose; a vent shaft is one used solely to ventilate or light a water-closet compartment or bath-room.

6. A public hall is a hall, corridor or passageway not within an apartment.

7. A stair hall includes the stairs, stair landings and those portions of the public hall through which it is necessary to pass in going between the entrance floor and the roof.

8. An entrance hall shall be taken to mean that portion of the public hall, from the entrance leading to and including the stair enclosure.

9. A basement is a story partly, but not more than one-half below the level of the grade, and for the purposes of this act shall be counted as a story, if more than five feet above the grade, unless otherwise specifically stated.

10. A cellar is a story more than one-half below the level of the curb and for the purposes of this act shall not be counted as a story, unless otherwise specifically stated.

11. A fireproof tenement-house is one the walls of which are constructed of brick, stone, iron or hard, incombustible material, and in which there are no wood beams or lintels, and in which the floors, roofs, stair halls and public halls are built entirely of brick, stone, iron or other hard, incombustible material and in which no wood work or other inflammable material is used in any of the partitions, furrings or ceilings; but this definition shall not be construed as prohibiting elsewhere than in the stair halls or entrance halls the use of wooden flooring on top of the fireproof floors, or the use of wooden sleepers, nor as prohibiting wooden handrails and treads, if made of hard wood not less than two inches thick.

12. A fireproof door shall be a doorway in which both the frame and the door are constructed of approved fireproof material, or they may be constructed of pine or other soft wood, of two thicknesses of matched boards at right angles with each other and securely covered with metal on both sides and edges, with folded, lapped joints, the nails for fastening the same being driven inside the lap; the hinges, or bolts or latches, shall be secured or fastened to the door and frame after the same has been covered with metal; and if any glass is used in any such door it shall be of good quality wire glass.

13. A fireproof bulkhead shall be taken to mean a bulkhead constructed of approved fireproof materials or constructed of wood, covered with metal, in a manner similar to the construction of a fireproof door.

14. The height of a tenement-house is the perpendicular distance measured in a straight line from the curb level to the highest point of the roof beams, the measurements in all cases to be taken through the center of the facade of the house; where a building is on a corner lot, and there is more than one grade or level, the measurements shall be taken through the center of the facade on the street having the greatest grade.

15. The word "shall" is always mandatory and not directory, and denotes that the house shall be maintained in all respects according to the mandate, as long as it continues to be a tenement-house.

16. The word "board" shall be construed as if followed by the words "charged with the enforcement of this act."

17. The word "curb" for the measurements of heights shall be taken to mean the level of the established curb-line, where the same exists, taken at the center of the street frontage; where the walls of a building do not adjoin the street or building line, then the average level of the ground on which the building stands may be taken as the curb, at the direction of the board.

18. The word "approved" shall be construed as if followed by the words "by the board charged with the enforcement of this act."

19. The words "local ordinance" and "fire limits" shall be construed as if followed by the words "of the municipality in which the tenement-house is situated;" wherever the words "is occupied" are used in this act, applying to any building, such words shall be construed as if followed by the words "or is intended, arranged or designed to be occupied."

20. A frame building shall be taken to mean a building of which the exterior walls, or a portion thereof, shall be constructed of wood; buildings sheathed with boards and partially or entirely covered with four inches or less of masonry or with metal sheets, shall be deemed frame buildings.

21. The term "house sewer" is applied to that part of the main drain or sewer extending from a point two feet outside of the outer wall of the building, vault or area, to its connection with the main sewer or cesspool.

22. The term "house drain" is applied to that part of the main horizontal drain and its branches inside the walls of the building, vault or area, and extending to and connecting with the house sewer.

23. The term "soil-pipe" is applied to any vertical line of pipe extending through the roof, receiving the discharge of one of more water-closets, with or without other fixtures.

24. The term "waste-pipe" is applied to any pipe extending through the roof, receiving the discharge from any fixtures except water-closets.

25. The term "vent-pipe" is applied to any special pipe provided to ventilate the system of piping, to prevent back pressure and to stop siphonage.

SECTION 2.

26. A building not erected for use as a tenement-house, if hereafter converted or altered to such use, shall thereupon become subject to all the provisions of this act affecting tenement-houses hereafter erected.

27. No existing tenement-house shall be altered so as to increase the number of stories without being made to conform to all the requirements for buildings hereafter erected for that height or number of stories.

28. No existing tenement-house shall be altered so as to increase the number of rooms, nor its hallways changed, unless such new rooms or hallways shall be made to conform with the requirements of this act for buildings hereafter constructed.

29. No alteration or addition shall be made to any tenement-house so as to decrease the light and ventilation of any other part of said tenement-house.

30. No tenement-house shall hereafter be enlarged or its lot be diminished so that a greater percentage of the lot shall be occupied by buildings or structures than is required for tenement-houses hereafter erected.

31. No tenement-house shall hereafter be enlarged or its lot be diminished so that its lot shall be less in depth than the minimum depth is required for tenement-houses hereafter erected.

32. If any tenement-house or any part thereof is occupied by more families than provided in this act, or is erected, altered, maintained or occupied contrary to this act, such tenement-house shall be deemed an unlawful structure, and the board may cause such building to be vacated; and such building shall not be again occupied until it or its occupation, as the case may be, shall have been made to conform to this act.

33. A tenement-house not now completed, but the excavation for which shall have been commenced in good faith on or before the first day of May, one thousand nine hundred and four, and after approval of all the plans therefor by the local authorities having such jurisdiction, and the first tier of beams of which shall have been set on or before the first day of July, one thousand nine hundred and four, shall be subject only to the provisions of this act affecting now existing tenement-houses.

ARTICLE II.

SECTION 1.

34. Every non-fireproof tenement-house hereafter erected, more than three stories high, unless provided with outside fireproof stairways directly accessible to each apartment, shall have fire-escapes located and constructed as hereafter described.

35. Every now existing non-fireproof tenement-house, more than three stories high, unless provided with outside fireproof stairways directly accessible to each apartment, shall have fire-escapes located and constructed as hereafter described; but a fire-escape now erected upon such house shall be deemed sufficient, except as provided in the next two succeeding paragraphs of this act.

36. In every now existing non-fireproof tenement-house, more than three stories in height, there shall be a fire-escape directly accessible to each apartment, exclusive of fire-escapes in air-shafts and courts; and a party wall fire-escape balcony on the rear of the building, connecting with the window of an adjoining building, shall be deemed a sufficient fire-escape only when the two buildings are completely separated by an unpierced fire wall throughout their entire height and length; and all wooden floor slats and floors of fire-escape balconies shall be replaced by

proper iron slats or floors; and no wooden balcony or wooden outside stairs shall be deemed part of a lawful fire-escape.

37. Whenever a now existing non-fireproof tenement-house is not provided with sufficient means of escape in case of fire, the board may order such additional fire-escapes or other means of egress as, in its judgment, may be necessary.

38. All fire-escapes hereafter erected on any tenement-house shall open directly from at least one room in each apartment at each story above the ground floor, other than a bath-room or water-closet compartment, and shall not include the window of a stair hall, and no fire-escape shall be placed in a court except as provided in paragraph ninety-five of this act; fire-escapes may project into the public highway to a distance not greater than four feet beyond the building line; no person shall at any time place any incumbrance of any kind before, or upon, such fire-escape, under a penalty of a fine of ten dollars or the confiscation of articles so placed.

39. All fire-escape balconies now existing or hereafter erected on any tenement-house shall have a plate firmly fastened to the standard or filling-in bars, near the top railing in front of and facing at least one window in each apartment, such plate to contain in plain, large, prominent, raised letters, each letter to be not less than one-half inch in height, the following words: "Anyone placing an incumbrance on this balcony or stairway will be fined ten dollars or the objects forming such incumbrance will be confiscated;" the lettering on such plate shall be painted a contrasting color.

40. All fire-escapes hereafter erected on any tenement-house shall have one coat of approved paint before leaving the shop, and at least one coat after erection, all such fire-escapes now existing or hereafter erected shall be kept well painted and in good condition by the owner.

41. Fire-escapes hereafter placed on tenement-houses shall consist of outside open iron balconies and stairways; the balcony on the top floor, except in case of a front fire-escape, shall be provided with a goose-neck ladder leading from said balcony to and extending not less than thirty inches (30") above the roof; such goose-neck ladder shall be securely fastened to the wall of the building and to the roof, and there shall be a space of not less than eighteen inches (18") between the outside line of such ladder and the outer rail of the top fire-escape balcony; such ladder shall be constructed as provided for drop ladders in paragraph forty-eight (48) of this act; the strings shall be in one (1) piece and shall not be connected in parts by rivets or bolts; such ladders shall be arranged to rest at the bottom on brackets, and not on the slats forming the floor of the balcony.

42. The fire-escape balconies hereafter placed on all tenement-houses shall not be less than three feet (3' 0") in width, taking at least one (1) window of each apartment at each story above the ground floor; they shall be below, and not more than one foot (1' 0") below the window-sills and extend in front of and not less than nine inches (9")

beyond each window; there shall be a landing not less than twenty-four inches (24") square at the head and foot of each stairway; in every case there shall be a passageway between the string of the stairway and the wall of the building or the outer rail of the balcony, as the case may be, such passageway not to be less than fourteen inches (14") wide in every part; the stairway opening on such platform shall not be less than twenty-one inches (21") wide and forty-two inches (42") long, and such opening shall have no covers of any kind.

43. The floors of all fire-escape balconies on all tenement-houses shall be of wrought-iron or steel slats, not less than one and one-half inches by three-eighths of an inch ($1\frac{1}{2}" \times \frac{3}{8}"$), placed not more than one and one-quarter inches ($1\frac{1}{4}"$) apart and well secured and riveted to iron battens, one and one-half inches by three-eighths of an inch ($1\frac{1}{2}" \times \frac{3}{8}"$), not over two feet (2' 0") apart; the ends of such floor slats shall rest upon the platform frame, but shall not be riveted or bolted to same; the battens shall also rest upon and be riveted or bolted to frame of balcony; said frame to consist of angle-iron not less than two and one-half inches by two and one-half inches by three-sixteenths of an inch ($2\frac{1}{2}" \times 2\frac{1}{2}" \times 3\text{-}16"$) thick and to extend around the four (4) sides of the balcony floor; to rest upon brackets and be secured to same by rivets or bolts and be riveted at corners; the platforms of balconies shall be constructed and erected to safely sustain in all their parts a safe load of not less than eighty pounds (80 lbs.) per square foot, utilizing a ratio of four (4) to one (1) between the safe-working load and the ultimate strength of all parts.

44. The outside top rail of all fire-escape balconies hereafter placed on all tenement-houses shall entirely enclose the platform and in all cases shall go through the wall at each end and be properly secured by nuts and washers, at least four inches (4") square and three-eighths of an inch ($\frac{3}{8}"$) thick, or if set while the walls are being built they may go through the walls and be turned down three inches (3"); and no top rail shall be connected at angles by cast-iron; the top rail of balconies shall be one and three-quarter inches by one-half inch ($1\frac{3}{4}" \times \frac{1}{2}"$) of wrought-iron or one and one-half inch ($1\frac{1}{2}"$) angle-iron at least three-sixteenths of an inch (3-16") thick; the bottom rails shall in no case be more than eight inches (8") above floor of balcony and shall be of one and one-half inches by three-eighths of an inch ($1\frac{1}{2}" \times \frac{3}{8}"$) wrought-iron, or of one and one-half inch ($1\frac{1}{2}"$) angle-iron at least three-sixteenths of an inch (3-16") thick, and instead of going through may be well leaded or cemented into the wall; the ends of all rails not turned down shall be worked out to not less than three-quarter inch ($\frac{3}{4}"$) bolt size for top rails or one-half inch ($\frac{1}{2}"$) bolt size for bottom rails, if the same go through the wall; the standing or filling-in bars shall not be less than one-half inch ($\frac{1}{2}"$) round or square wrought-iron, well riveted to the top and bottom rails and front of platform frame where immediately adjacent to brackets, and shall be so spaced as to form a secure and safe railing; the height of railings shall in no case be less than two feet and nine inches (2' 9").

45. The stairways of fire-escape balconies hereafter erected on tenement-houses shall be constructed and erected to fully sustain in all their parts a safe load of not less than one hundred pounds (100 lbs.) per step, utilizing a ratio of four (4) to one (1) between the safe-working load and the ultimate strength of all parts, with the exception of the tread, which must safely sustain at any point at said ratio a concentrated load of two hundred pounds (200 lbs.); the treads shall not be less than seven inches (7") wide and the rise of each step not more than nine inches (9"); the treads shall be flat open treads of cast-iron not less than five-eighths of an inch ($\frac{5}{8}$ ") thick, or of flat bars not over one and one-quarter inches ($1\frac{1}{4}$ ") wide or less than three-eighths of an inch ($\frac{3}{8}$ ") thick, with spaces between not more than one inch (1") or less than one-half of an inch ($\frac{1}{2}$ "); such bars to be riveted to angle-irons of not less than one and one-half inches ($1\frac{1}{2}$ ") in size, secured to strings, with double rivets or bolts; the stairs shall be not less than twenty inches (20") wide between inside of strings, the strings shall be not less than three-inch (3") channels of iron or steel, or other shape equally strong, and shall, at both top and bottom, rest upon and be fastened to a bracket, which shall be fastened through the wall as hereinafter provided; the stairs shall have a hand rail of not less than three-quarter inch ($\frac{3}{4}$ ") round wrought-iron rod or pipe, on each side, not less than thirty inches (30") or more than forty-two inches (42") above steps at any point, and same shall be secured and well braced; the stairways shall be placed at an angle no steeper than sixty degrees.

46. The brackets of all fire-escape balconies on tenement-houses shall be placed not more than four feet (4' 0") apart and be not less than three-quarters of an inch by one and one-half inches ($\frac{3}{4}$ " x $1\frac{1}{2}$ ") wrought-iron placed edgewise, or one and three-quarter inch ($1\frac{3}{4}$ ") angle-iron, one-quarter inch ($\frac{1}{4}$ ") thick, to extend across full width of balcony and be well braced at a point not less than two-thirds ($\frac{2}{3}$) of the distance from wall to end of bracket, by means of not less than three-quarters of an inch ($\frac{3}{4}$ ") square wrought-iron or one and three-quarters inch ($1\frac{3}{4}$ ") angle-iron; the ends of brackets and braces shall go through the wall and be turned down three inches (3"), or be properly secured by nuts and washers four inches (4") square and at least three-eighths of an inch ($\frac{3}{8}$ ") thick; on new buildings the brackets shall be set as the walls are being built; when brackets are put on tenement-houses already erected, the part going through the wall shall be not less than one inch (1") in diameter, with screw nuts and washers not less than five inches (5") square and one-half inch ($\frac{1}{2}$ ") thick.

47. A proper drop ladder to reach to a safe landing place below shall be required from the lower balcony of any fire-escape on any tenement-house; and when the floor of such balcony is more than sixteen feet (16' 0") above the sidewalk or ground, a suitable landing platform shall be provided; such platform shall be located not more than ten feet (10' 0") above the ground and shall be connected with the balcony above by means of a stairway constructed as this act requires for stairways between balconies; such platform shall be not less than three feet

(3' 0") in width and four (4' 0") long and provided with proper railings; the drop ladder to ground shall be not less than fifteen inches (15") in width, with strings not less than one-half inch by two-inch ($\frac{1}{2}$ " x 2") iron, and rungs not less than five-eighths of an inch ($\frac{5}{8}$ ") in diameter, placed not more than twelve inches (12") apart and securely riveted through the strings; strings to be made of one (1) piece and not connected in parts by rivets or bolts; the upper end of each string to be formed into a hook by which the ladder may be secured to the frame of the balcony when in use.

48. All fire-escapes hereafter constructed on wooden tenement-houses shall conform in all particulars to the provisions of this act, except as hereinafter mentioned; the rise of the steps of the stairways shall not be more than eleven inches (11"); the strings shall be not less than three-inch (3") channel bars or other shape equally strong, properly constructed, as described in paragraph forty-six (46) of this act; the brackets and top rails shall be secured by bolts through the wall; in no case shall said bolts pass through the studs of said wall, but shall be properly fastened with washers and screw-nuts, through a wrought-iron or steel plate, such plate to be not less than three inches wide by one-quarter inch ($3" \times \frac{1}{4}"$) in thickness, and to pass across and to bear upon the entire inner faces of at least two (2) studs; the said plate shall be backed and reinforced by solid blocking as thick as the studding, firmly secured to the studs across which the plate passes; the bottom rail shall be secured in a similar manner, or by means of lag screws not less than five-eighths of an inch ($\frac{5}{8}"$) in diameter and four inches (4") long, properly screwed into bored holes in the studs or blocking secured between same, said holes to be not more than seven-sixteenths of an inch ($7-16"$) in diameter and the center of such holes not to be within one and one-quarter inches ($1\frac{1}{4}"$) of the sides of the studs or blocking.

49. Every tenement-house hereafter erected over three stories in height, shall have in the roof a fireproof bulkhead with a fireproof door to the same, and the stairs leading to it shall be the same as required or installed throughout the building, and such stairs shall be kept free from incumbrance at all times and so placed as to be readily accessible to all tenants at all times.

50. Every tenement-house now existing or hereafter erected, not over three stories in height, may have, in lieu of such bulkhead, a fireproof scuttle, and the stairs leading to the same shall be placed at an angle no steeper than sixty (60) degrees, but in now existing tenement-houses, where such stairs are not practicable, a fixed iron ladder may be used in lieu thereof.

51. No bulkhead or scuttle in any tenement-house shall at any time be locked with a key, but it may be kept fastened on the inside by movable bolts or hooks; and said door or scuttle shall not be obstructed in any way and shall be so constructed, hung or balanced as to be easily opened, and of such size as to provide an easy exit for a grown person.

52. Every tenement-house hereafter erected three or more stories in height, shall have at least one flight of stairs extending from the entrance floor to the roof, and the stairs and public halls therein shall each be at least three feet wide in the clear, and every entrance hall shall be at least three feet six inches wide in the clear; but if such entrance hall is the only entrance to more than one flight of stairs, that portion of said hall between the entrance and the first flight of stairs shall be increased one-half in width in every part for such additional flight of stairs.

53. Every non-fireproof tenement-house hereafter erected containing over twenty-six apartments or suites of rooms above the entrance story, shall have an additional flight of stairs for every additional twenty-six apartments or fraction thereof; if said house contains not more than thirty-six apartments above the entrance story in lieu of an additional stairway, the stairs, stair halls and entrance halls throughout the entire building may each be at least one-half wider than is specified in paragraph fifty-two of this act.

54. Every fireproof tenement-house hereafter erected containing over thirty-six apartments or suites of rooms above the entrance story, shall also have an additional flight of stairs for every additional thirty-six apartments or fraction thereof; but if said house contains not more than forty-eight apartments above the entrance story, in lieu of an additional stairway, the stairs, stair halls and entrance halls throughout the entire building may each be at least one-half wider than is specified in paragraph fifty-two of this act; and if said house contains not more than eighty-four apartments above the entrance story, in lieu of three stairways, there may be but two stairways; *provided*, that one of such stairways and the stair halls and the entrance halls connected therewith are at least one-half wider than is specified in paragraph fifty-two of this act.

55. Each flight of stairs mentioned in the last three paragraphs shall have an entrance on the entrance floor from the street or street court, or from an inner court which connects directly with the street; all stairs shall be constructed with a rise of not more than seven and one-half inches and with treads not less than ten inches wide and not less than three feet long in the clear; where winders are used all treads at a point eighteen inches from the strings on the wall side shall be at least ten inches wide.

56. In non-fireproof tenement-houses hereafter erected exceeding four stories in height, there shall be no inside stairs communicating between the cellar or other lowest story and the floor next above, but such stairs shall be located outside the building, and if enclosed, shall be constructed entirely fireproof and be enclosed in a fireproof enclosure, with fireproof self-closing doors at all openings; this provision, however, shall not apply to the stairs leading from the entrance story to the upper floors in tenement-houses hereafter erected where there is no cellar or other lowest story below the said entrance story; *provided*, that in tenement-houses hereafter erected, which do not exceed four stories in height, and which also are not occupied or arranged to be occupied by more than two families

on any floor, the stairs leading to the cellar or other lowest story may be located inside the building; *provided*, such stairs are entirely enclosed with brick walls in the cellar and the enclosing partitions lathed with metal lath or approved plaster board on the first floor and are provided with fireproof self-closing doors at both the top and the bottom; and the door at the bottom shall be located at least three feet from the foot of the stairs.

57. In every fireproof tenement-house hereafter erected the stairs communicating between the lowest cellar or other lowest story and the next floor above, if not located underneath the stairs leading to the upper stories, may be placed inside of the said building; *provided*, that the portion of the cellar or other lowest story into which said stairs lead is entirely shut off by fireproof walls from those portions thereof which are used for the storage of fuels, or in which heating appliances, boilers or machinery are located; all openings in such walls shall be provided with self-closing fireproof doors.

58. All stairs in tenement-houses shall be provided and maintained with proper banisters and railings and kept in good order.

59. In non-proof tenement-houses hereafter erected no closet of any kind shall be constructed under any staircase leading from the first story, exclusive of the cellar, to the upper stories, but such space shall be left entirely open and kept clear and free from incumbrances.

60. Every tenement-house hereafter erected six stories or more in height shall be made fireproof throughout.

61. Every non-fireproof tenement-house hereafter erected may have stud partitions above the cellar or basement; *provided*, said stud partitions enclosing public halls on the first floor and all stair halls throughout the building shall be lathed on both sides with metal laths or approved plaster board and plastered with two coats of brown mortar of good material, and the ceiling of the cellar or other lowest story lathed and plastered in a similar manner; and when any part of the entrance floor, cellar or basement is used as a store or workshop or for the storage of combustible materials other than the fuel supply of the house, then the entire ceiling of the floor so used shall be lathed and plastered in the same manner; and the stairs shall be constructed of iron or stone, or some other approved fireproof material, or may be constructed of wood, provided that the carriages are not less than three (3) inches thick and the treads not less than one-quarter inches in thickness and the soffits throughout are covered with metal laths or approved plaster board and plastered with two coats of brown mortar of approved material.

62. In every tenement-house hereafter erected there shall be an entrance to the cellar or other lowest story from the outside of said building; and direct access shall also be had from the street to the yard.

63. In tenement-houses hereafter erected, in all walls where wooden furring is used, all the courses of brick, from the underside of the floor beams to the top of the same, shall project a distance of at least two inches beyond the inside face of the wall so as to provide an effective

fire stop; and wherever floor beams run parallel to a wall and wooden furring is used, such beams shall always be kept at least two and one-half inches away from the inside line of the wall, and the space between the beams and the wall shall be built up solidly with brick work from the under side of the floor beams to the top of the same so as to provide an effective fire stop. '

64. In all non-fireproof tenement-houses hereafter erected fore and aft stud partitions which rest directly over each other, shall run through the wooden floor beams and rest upon the plate of the partition below, and shall have the space between the studding filled in solid to the full depth of the floor beams and to a point eight inches above said beams with approved incombustible materials; in all fireproof tenement-houses hereafter erected all partitions shall rest directly upon the fireproof floor construction and extend to the fireproof beam filling above.

65. Within the fire limits no wooden tenement-houses shall hereafter be erected and no wooden building so situated and not now used as a tenement-house shall hereafter be altered or converted to such use; but outside of the fire limits frame tenement-houses not exceeding three stories in height nor more than forty feet in height, may be erected of wood; but if three stories in height, they shall not provide accommodations for, or be occupied by, more than six families in all or more than two families on any floor; and if built within three (3' 0") of any division or party line, the side walls shall have the spaces between the studding filled in solid with brick laid in cement mortar, or other approved fireproof material, and in no case shall any such side wall, if built partially or entirely of frame, be used as a party wall.

66. No wooden building of any kind whatsoever, except such as are used for water-closet compartments, shall hereafter be placed or built upon the same lot with a tenement-house, within the fire limits.

67. No wooden party fence shall be used as a part of the enclosure of an outbuilding of any kind upon the same lot with a tenement-house.

68. No tenement-house, nor any part thereof, nor of the lot upon which it is situated, shall be used as a place of storage, keeping or handling of any combustible article, except where permitted by local ordinance and then only in the manner thereby prescribed.

69. No tenement-house or any part thereof, nor of the lot upon which it is situated, shall be used as a place for the keeping or handling of any article dangerous or detrimental to life or health, nor for the storage, keeping or handling of feed, hay, straw, excelsior, cotton, paper stock, feathers or rags.

70. When the floor forming the ceiling of the cellar or other lowest floor is constructed fireproof, then the ceiling of the cellar or other lowest floor of all tenement-houses hereafter erected and of all now existing tenement-houses over three stories high shall be lathed and plastered with two coats of brown mortar of good materials, and where any tenement-house now existing or hereafter erected is over three stories in height the plastering shall be on metal lath or approved plaster board.

71. No bakery or place of business in which fat is boiled shall be maintained in any tenement-house which is not fireproof throughout, unless the ceilings and side walls of such bakery or of the said place where fat boiling is done are made safe by fireproof materials around the same; and there shall be no openings either by door or by window, dumbwaiter, shafts or otherwise between said bakery or said place where fat is boiled in any tenement-house and any other part of the said building.

72. All doors, transoms and windows opening into public halls from any portion of a tenement-house where paint, oil, spirituous liquors or drugs are stored for the purposes of sale or otherwise, shall be removed and closed up as solidly as the rest of the wall.

73. All shafts hereafter constructed in tenement-houses shall be constructed fireproof throughout, with fireproof self-closing doors at all openings, at each story, except window openings in vent shafts; and if they extend to the cellar shall also be enclosed in the cellar with fireproof walls and fireproof self-closing doors at all openings; in no case shall any shaft be constructed of materials in which any inflammable material or substance enters into any of the component parts; but nothing in this paragraph contained shall be so construed as to require such enclosures about elevators or dumbwaiters in the well hole of stairs, where the stairs themselves are enclosed in brick or stone walls and are entirely constructed of fireproof materials.

74. When wainscoting is hereafter placed in any tenement-house or any building in process of alteration into a tenement-house, the surface of the wall or partition behind such wainscoting shall be plastered down to the floor line, and any intervening space between said plastering and said wainscot shall be filled in solid with incombustible material.

75. All wood beams and other timbers in the party walls of any tenement-house hereafter erected shall be separated from the beams or timbers entering from the opposite side of the wall by at least four inches.

76. In all tenement-houses hereafter erected all wood beams shall be framed away from all flues and chimneys, whether the same be for smoke, air or any other purpose; the trimmer beams shall not be less than eight inches from the inside face of a flue and four inches from the outside of a chimney breast and the header beams not less than two inches from the outside face of the brick or stone work of the same; except that for smoke flues of boilers and furnaces, where the brick work is required to be eight inches in thickness, the trimmer beam shall not be less than twelve inches from the inside of the flue.

77. In all tenement-houses hereafter erected every kitchen in every apartment shall have a hearth not less than four feet by three feet in size, and, where possible, said hearth shall be supported by a brick trimmer arch and may be finished in cement, concrete or stone, but where such construction is not possible, then the hearth may be constructed in the following manner: beams shall be framed around the location for

such hearth and shall have cleats not less than four inches in depth, well spiked to them and the space floored over with not less than one and one-half inch matched plank; two inches above such planking, one-half inch iron rods shall be placed not over eight inches on centers and shall be carried across the opening and through the enclosing beams and securely fastened with nuts and washers; the space thus left shall be filled with not less than four inches of concrete and surfaced one inch thick.

78. In all tenement-houses now existing or hereafter erected no kitchen range shall be placed against a furred wall or stud partition; or if placed within ten inches of said wall or partition, then the wall or partition must be protected by the owner with metal, from the floor to a point one foot above the top of said range, and said kitchen range shall rest entirely upon the hearth, or upon metal legs if there is no hearth, and shall be provided with a metal shield extending under and at least twelve inches in front of the ashpan.

79. All stoves for heating purposes in tenement-houses shall be properly supported on iron legs, resting on the floor at least two feet from any lath and plaster or wood work other than said floor; a metal shield should be placed under and twelve inches in front of the ashpan of all such stoves that are placed on wooden floors.

80. In every tenement-house there shall be adequate chimneys running to every floor with an open fireplace or grate, or place for stoves, properly connected with one of said chimneys for every apartment, but no chimney shall be started or built upon any floor or beam of wood, and in no case shall a chimney be corbeiled out more than eight inches from the wall; and in all cases corbeiling shall consist of at least five courses of brick; but no corbeiling more than four inches shall be allowed in eight-inch brick walls; all chimneys shall be carried not less than four feet above the roof.

81. In all tenement-houses hereafter erected all smoke-flues shall be lined on the inside with well-burned clay or terra-cotta pipe, made smooth on the inside, carried from the bottom of the flue or from the throat of the fireplace, if the flue starts from the latter, and carried up continuously to the full height of the flue; the ends of all such lining pipes shall be made to fit close together and the pipes shall be built in as the flue or flues are carried up; each smoke-flue shall be enclosed on all sides with not less than four inches of brick work and shall have an area of not less than thirty-six square inches.

82. In all tenement-houses hereafter erected all flues which, for any reason, are liable to be heated to high temperatures or to become dangerous in any way, shall be surrounded on all exposed sides by not less than eight inches of brick work and such other precautions as the board may determine.

83. In every tenement-house now existing or hereafter erected where smoke-pipes pass through a lath and plaster or other partition, they shall be guarded by galvanized iron ventilated thimbles at least

twelve inches larger in diameter than the pipe; no smoke-pipe will be permitted to pass through any roof.

84. In all tenement-houses hereafter erected the fire-backs of all fireplaces shall be of solid masonry not less than eight inches in thickness.

85. In all tenement-houses hereafter erected all division or party line walls over fifteen feet high, shall be carried up to form parapet walls not less than eight inches in thickness and to a point not less than two feet above the roof; all such walls shall be coped with stone, terra-cotta or cast-iron:

86. In all tenement-houses hereafter erected all doors placed across public halls, except entrance doors, shall be hung so as to open outward.

87. All stud partitions hereafter constructed in any tenement-house shall be plastered from the floor to the ceiling.

ARTICLE III.

SECTION 1.

88. No tenement-house hereafter erected shall occupy more than ninety per centum of a corner lot, or more than seventy per centum of any other lot; *provided*, that the space occupied by fire-escapes of the size hereinbefore prescribed shall not be deemed a part of the lot occupied.

89. For the purposes of the immediately preceding paragraph, the measurements shall be taken at the ground level, except that where such a building has no basement and the cellar ceiling is not more than three feet above the curb level, the measurements as to the percentage of a lot occupied may be taken at the level of the second tier of beams.

90. The height of a tenement-house hereafter erected shall not by more than one-half exceed the width of the widest street on which it stands; such height shall be the perpendicular distance measured in a straight line from the curb level to the highest point of the roof beams; *provided*, that where there are bulkheads exceeding ten feet in height or exceeding in area ten per centum of the area of the roof, the measurements shall be taken to the top of the bulkhead; but this shall not apply to elevator enclosures not exceeding fifteen feet in height; the measurements in all cases shall be taken through the center of the facade of the house.

91. Behind every tenement-house hereafter erected there shall be a yard extending across the entire width of the lot, and except upon a corner lot, at every point from the ground to the sky unobstructed, except that fire-escapes or unenclosed outside stairs may project not over five feet from the rear line of the house; the depth of the said yard measured from the extreme rear wall of the house to the rear line of the lot, shall be as set forth in the two following paragraphs of this act.

92. Except upon a corner lot, the depth of the yard behind every tenement-house hereafter erected fifty feet in height shall be not less than sixteen feet in every part; said yard shall be increased in depth one foot for every additional twelve feet of height of the building or fraction thereof above fifty feet; and may be decreased in depth one foot for every twelve feet of height of the building, less than fifty feet; but it shall never be less than fourteen feet in depth in any part.

93. The depth of the yard behind every tenement-house hereafter erected upon a corner lot shall not be less than ten feet in every part; *provided*, that where such lot is less than one hundred feet in depth, the depth of the yard may be not less than ten per centum of the depth of such lot, but shall never be less than five feet in every part; where a tenement-house hereafter erected upon a corner lot has no basement and the cellar ceiling is not more than three feet above the curb level, said yard may start at the level of the second tier of beams; where a corner lot is more than fifty feet in width, the yard for that portion, in excess of fifty feet, shall conform to the provisions of this act relating to interior lots. Where a corner lot is bounded by more than two streets, and does not exceed one hundred (100) feet in depth, the ten per centum of unoccupied space shall be deemed the space required for yard.

94. Wherever a tenement-house hereafter erected is upon a lot which runs through from one street to another street, and said lot is not less than seventy feet nor more than one hundred feet in depth, there shall be a yard space through the center of the lot midway between the two streets, which shall extend across the full width of the lot and shall not be less than sixteen feet in depth from wall to wall; but where such building has no basement and the cellar ceiling is not more than three feet above the curb level such yard space may start at the level of the second tier of beams; where such lot is over one hundred feet in depth such yard space shall conform to the provisions of paragraph one hundred and five of this act, for inner courts, and shall be left through the center of the lot midway between the two streets, and shall extend across the entire width of the lot; where a single tenement-house hereafter erected is situated on a lot formed by the intersection of two streets at an acute angle, the yard of said house need not extend across the entire width of the lot; *provided*, that it extends to a point in line with the middle line of the lot.

95. No court of a tenement-house hereafter erected shall be covered by a roof or skylight, but every such court shall be, at every point open to the sky, unobstructed; *provided*, that an apartment not containing any room fronting upon the street or yard shall have a fire-escape in a court, projecting not more than four feet from the house; such fire-escape shall directly connect at the bottom of such court with a fireproof passageway, not less than three feet wide and seven feet high, leading in a straight and direct line to the street.

96. In every tenement-house hereafter erected exceeding three stories in height, where one side of an outer court is situated on the lot

line, the width of the said court, measured from the lot line to the opposite wall of the building, shall not be less than two feet eight inches in any part; wherever an outer court so situated exceeds thirty-six feet in depth, and does not extend from the street to the yard, the entire court shall be increased in width six inches for every additional fifteen feet in excess of thirty-six feet.

97. In every tenement-house hereafter erected, not exceeding three stories in height, which is also not occupied or arranged to be occupied by more than eight families in all, or by more than two families on any floor and in which, also, each apartment extends through from the street to the yard, the width of an outer court situated on the lot line shall be at least two feet eight inches, running parallel with the wall; and where such court exceeds sixty-five feet in depth, the width of such court shall be increased one foot for every thirty feet or fraction thereof that said court exceeds sixty-five feet in depth; but where such tenement-house is occupied or arranged to be occupied by more than eight families in all, or by more than two families on any floor, and in which the apartments do not extend through from the street to the yard, the width of an outer court situated on the lot line shall be regulated by paragraph ninety-six of this act.

98. In every tenement-house hereafter erected exceeding three stories in height, where an outer court is situated between wings or parts of the same building, the width of the said court, measured from wall to wall, shall not be less than four feet, running parallel with wall. Whenever an outer court so situated exceeds thirty-six feet in depth, the entire court shall be increased in width six inches in every additional fifteen feet or fraction thereof.

99. In every tenement-house hereafter erected, not exceeding three stories in height, and which also is not occupied or arranged to be occupied by more than eight families in all, or by more than two families on a floor, and in which also each apartment extends through from the street to the yard, the width of an outer court situated between wings or parts of the same building, measured from wall to wall, shall not be less than four feet, running parallel with wall. Where such court extends sixty-five feet in depth, its width shall be increased two feet for every thirty feet or fraction thereof that said court exceeds sixty-five feet in depth; but where such tenement-house is occupied by more than eight families in all, or by more than two families on any floor, and in which the apartments do not extend through from the street to the yard, the width of an outer court, situated between wings or parts of the same building, or between different buildings on the same lot, shall be regulated by paragraph ninety-eight of this act.

100. Wherever an outer court in any tenement-house hereafter erected changes its initial horizontal direction, or wherever any part of such court extends in a direction so as not to receive direct light from the street or yard, the length of such portion of said court shall never

exceed the width of said portion; such length to be measured from the point*at which the change of direction commences.

101. Wherever an outer court of any tenement-house is less in depth than the minimum width prescribed by this act, then its width may be equal to but not less than its depth; *provided*, that such width is not less than three and one-half feet in the clear; this exception shall also apply to each off-set or recess in outer courts, and no windows, except windows of water-closet compartments, bath-rooms or halls shall open upon any off-set or recess less than two feet eight inches.

102. In every tenement-house hereafter erected, exceeding four stories in height, where one side of an inner court is situated on the lot line, the width of said court, measured from the lot line to the parallel wall of said building, shall not be less than eight feet from lot line to opposite wall, in any part, or its horizontal dimensions, shall not be less than fourteen feet in any part; but for every twelve feet of increase or fraction thereof in the height of said building above fifty feet, such width shall be increased six inches throughout the entire height of said court, and the other horizontal dimensions shall be increased one foot throughout the entire height of said court; and for twelve feet of decrease in the height of said building below fifty feet, such width may be decreased six inches and the other horizontal dimension may be decreased one foot.

103. In every four-story tenement-house hereafter erected, the size of an inner court situated in the lot line shall be as prescribed by paragraph one hundred and two of this act; *provided*, that where such tenement-house is not occupied by more than eight families in all, or by more than two families on any floor, and in which each apartment extends through from the street to the yard, the width of such court may be decreased, but shall not be less than six feet in any part, and its other horizontal dimensions shall not be less than twelve feet in any part.

104. In every tenement-house hereafter erected, not exceeding three stories in height, the width of an inner court situated on the lot line shall not be less than four feet in any part, and its other horizontal dimension shall not be less than ten feet in any part, measured from the lot line to the opposite wall.

105. In every tenement-house hereafter erected exceeding four stories in height, where an inner court is not situated upon the lot line, but is enclosed on all four sides, the least horizontal dimensions of the said court shall be not less than twenty-four feet, but for every twelve feet of increase or fraction thereof in the height of such building above fifty feet, the said court shall be increased one foot in each horizontal dimension, throughout the entire height of said court, and for every twelve feet of decrease in the height of said building below fifty feet, each horizontal dimension of the said court may be decreased one foot.

106. In every four-story tenement-house hereafter erected the size of an inner court not situated on the lot line, but enclosed on all four sides, shall be as prescribed by paragraph one hundred and five of this act; *provided*, that where such tenement-house is not occupied or arranged

to be occupied by more than eight families in all or by more than two families on any floor, and in which also each apartment extends through from the street to the yard, the size of such court may be decreased, but its least dimensions shall not be less than fourteen feet in any part.

107. In every tenement-house hereafter erected not exceeding three stories in height, the least dimensions of an inner court shall not be less than fourteen feet in any part; *provided*, that where such tenement-house is not occupied or arranged to be occupied by more than six families in all, or by more than two families on any floor, and in which each apartment extends through from the street to the yard, the size of such court may be decreased, but its width shall not be less than eight feet in any part and its other horizontal dimension shall not be less than fourteen feet.

108. In every tenement-house hereafter erected every inner court shall be provided with one or more horizontal intakes at the bottom; such intakes shall always communicate directly with the street or yard, and shall consist of a passageway not less than three feet wide and seven feet high, which shall be left open; there shall always be provided in said passageway open grills, or transoms, of a size not less than five square feet each, and such open grills or transoms shall never be covered over by glass or in any other way; there shall be at least two such grills or transoms in each such passageway, one at the inner court and the other at the street or yard, as the case may be; or air-tight open ducts not less than sixteen inches deep, and five square feet in area and provided with open iron grills at each end, if constructed of metal, may be substituted for such passage; *provided*, they can be installed so as to connect from the street or yard to the bottom of the court at right angles without bend or break or the forming of a trap in any part; *and provided also*, that direct access is given to the bottom of such court by doorway opening to a public hall of the building.

109. In tenement-houses where the inner courts are not less than ten feet wide in any part, offsets and recesses will be permitted, but when the depth of such offset or recess is less than the minimum width prescribed, then the width of said offset or recess may be equal to but not less than its depth; *provided*, that such width is never less than four feet in the clear; and no window except the windows of water-closet compartments, bath-rooms or halls, shall open upon any offset or recess less than six feet in width.

110. Nothing contained in the foregoing paragraphs concerning outer and inner courts shall be construed as preventing windows at the angles of said courts; *provided*, that the running length of the wall containing such windows does not exceed six feet; except that in outer courts or in inner courts of a less size than the minimum prescribed for tenement-houses fifty feet in height, the running length of the wall containing windows in the angle of said courts, shall not exceed four feet; nothing in this paragraph shall be construed so as to permit the reduction of any inner court by cutting off the corners thereof, when such court is less

than eight feet in width measured from the lot line to the opposite wall of the building.

111. In any tenement-house hereafter erected or now existing where each apartment extends through from the street to the yard, no clothes, bedding or similar articles shall be hung or exposed in any court for drying or airing or any purpose.

112. No separate tenement-house shall hereafter be erected upon the rear of any lot where there is a tenement-house on the front of said lot, nor upon the front of any such lot upon the rear of which is a tenement-house.

113. Where any building is hereafter placed on the same lot with a tenement-house there shall be always maintained between the said buildings an open, unoccupied space extending upwards from the ground, and extending across the entire width of the lot; where either building is fifty feet or more in height, such open space shall be at least twenty-four feet from wall to wall; and for every twelve feet of increase or fraction thereof in the height of such building above fifty feet, such open space shall be increased one foot in depth throughout its entire width, and for every twelve feet of decrease in the height of such building below fifty feet the depth of such open space may be decreased one foot; and no building of any kind shall be hereafter placed upon the same lot as a tenement-house, so as to decrease the minimum size of courts or yards as prescribed by this act; and if any tenement-house is hereafter erected upon any lot upon which there is already another building, it shall comply with all of the provisions of this act, and in addition the space between the said buildings and the said tenement-house shall be of such size and arranged in such manner as is prescribed in this paragraph, the height of the highest building on the lot to regulate the dimension; and the use to which such other building is put shall not be detrimental to the health or safety of the occupants of said tenement-house and shall be subject to the written approval of the board.

114. In every tenement-house hereafter erected every room, except water-closet compartments and bath-rooms, shall have at least one window opening directly upon the street or upon a yard or court of the minimum dimensions specified in this act, and such windows shall be so located as to properly light all portions of such rooms; whenever a room in such tenement-house opens upon an inner court less than ten feet wide, measured from the lot line to the opposite wall of the building, such room shall be properly provided with a sash window, communicating with another room in the same apartment, such window to contain not less than ten square feet of glazed surface, and to be made so as to readily open.

115. In every tenement-house hereafter erected, the total window area in each room, except water-closet compartments and bath-rooms, shall be at least one-tenth of the superficial area of the room, and the top at least of one window shall not be less than seven feet six inches above the floor, and the upper half of it shall be made so as to open the

full width; no such window shall be less than twelve square feet in area between the stop beads.

116. In every tenement-house hereafter erected, the total window area in a water-closet compartment or bath-room shall not be less than three square feet and no such window shall be less than one foot in width, measuring between stop beads; in every tenement-house hereafter erected all rooms, except water-closet compartments and bath-rooms, shall be of the following minimum sizes: in each apartment there shall be at least one room containing not less than one hundred and twenty square feet of floor area; each other room shall contain at least seventy square feet of floor area; each room shall be, in every part, not less than nine feet high from the finished floor to the finished ceiling; *provided*, that an attic room need be nine feet high in but half of its area.

117. All alcove rooms in tenement-houses must conform to all the requirements for other rooms.

118. In every tenement-house hereafter erected which is occupied, or arranged to be occupied, by more than two families on any floor, or which exceeds four stories in height, every public hall shall have at least one window opening directly upon the street or upon a yard or court; either such window shall be at the end of said hall, with the plane of the window at right angles to the axis of said hall, or there shall be at least one window opening directly upon the street, or upon a yard or court, in every twenty feet in length or fraction thereof of said hall; but this provision for a window in every twenty feet of hallway shall not apply to that portion of the entrance hall between the entrance and the first flight of stairs; *provided*, that the entrance door contains not less than five square feet of glazed surface; in every public hall in such tenement-house recesses or returns, the length of which does not exceed twice their width, will be permitted without an additional window; but wherever the length of such recess or return exceeds twice its width, the above provisions in reference to one window in every twenty feet of hallway shall be applied; any part of a hallway which is shut off from any other part of said hall by a door or doors shall be deemed a separate hall, within the meaning of this paragraph; in every tenement-house hereafter erected where the public hall is not provided with a window opening directly to the outer air as above provided, there shall be a stair well not less than twelve inches wide in the clear, extending from the entrance floor to the roof, and all doors leading from such public hall shall be provided with translucent glass panels having an area of not less than five square feet for each door and also with fixed transoms of translucent glass over each door.

119. In every tenement-house hereafter erected one, at least, of the windows provided to light each public hall or part thereof shall be at least two feet six inches wide and five feet high, measured between the stop beads.

120. In every tenement-house hereafter erected the aggregate area of windows to light or ventilate stair halls shall be at least eighteen square

feet for each floor; there shall be provided for each story at least one of said windows, which shall be at least two and a half feet wide and five feet high, measured between the stop beads; a sash door shall be deemed the equivalent of a window in paragraphs one hundred and eighteen, one hundred and nineteen and one hundred and twenty of this act; *provided*, that such door contains the amount of glazed surface prescribed for such windows.

121. In every apartment of three or more rooms in a tenement-house hereafter erected, access to every living room and bedroom and to at least one water-closet compartment, shall be had without passing through any bedroom.

122. No room in a now existing tenement shall hereafter be occupied for living purposes unless it shall have a window on the street, or upon a yard not less than four feet deep, or upon a court or shaft of not less than twenty-five square feet in area, open to the sky without roof or skylight; *provided, however*, that such room may be occupied for living purposes if it has a sash window opening into an adjoining room in the same apartment, which latter room either opens directly upon the street or on a yard of the above dimensions, or itself connects directly by a similar window with such outer room; said sash window shall be at least three feet by five feet between stop beads and both halves shall be made so as to open readily; where it is not possible to construct a window of this width, then such window may be of such size as may be prescribed by the board, but such window shall never contain less than twelve feet of glazed surface; an alcove opening of no less dimensions than the said sash window, in addition to the usual door opening, shall be deemed its equivalent.

123. In every now existing tenement-house, four stories or more in height, whenever a public hall on any floor is not lighted enough in the daytime to permit a person to read in every part thereof, without the aid of artificial light, the wooden panels in the doors located on the public halls and opening directly into rooms, shall be removed and ground glass or other translucent glass of an aggregate area of not less than five square feet for each door shall be substituted; or in lieu of removing panels from the doors a fixed sash window of ground glass, or other translucent glass, of an area of not less than five square feet, may be cut into partitions separating the said hall from rooms which open directly upon the street or upon a yard, court or shaft of dimensions specified in the last paragraph; or said public hall may be lighted by a window or windows at the end thereof, with the plane of the window at right angles to the axis of said hall, said windows opening upon the street or upon a yard, court or shaft of said dimensions.

124. In every tenement-house hereafter erected there shall be in the roof directly over the stair well, a ventilating skylight constructed of metal and provided with ridge ventilators having a minimum opening of forty square inches; or such skylight shall be provided with fixed or movable louvres; the glazed roof of such skylight shall not be less than

twenty square feet in area; where the stairs and public halls are not provided with windows on each floor opening directly to the outer air, the skylights shall be provided with such ridge ventilators and also with fixed or movable louvres or with movable sashes.

125. In every now existing tenement-house over two stories in height, where no skylight or bulkhead with glazed sash is found over the stair well, or in which the stair halls do not have windows opening directly to the outer air, there shall be a ventilating skylight constructed in the roof, directly over the stair well, as specified in the preceding paragraph; in every such tenement-house where an existing skylight or glazed bulkhead does not provide sufficient light and ventilation, then the board shall require such skylight or such bulkhead to be altered or enlarged so as to provide such proper light and ventilation.

126. In every tenement-house now existing or hereafter erected a proper light shall be kept burning by the owner, in the public hallways, near the stairs, upon the entrance floor; and in every tenement-house, over two stories high, such a light shall also be kept burning upon the second floor above the entrance floor of such house every night throughout the entire year, and upon all other floors of such tenement-house from sunset each day until ten o'clock each evening; where the public halls and stairs are not provided with windows opening directly to the street or yard, and such halls and stairs are, in the opinion of the board, not sufficiently lighted, the owner of such house shall keep a proper light burning in the hallway near the stairs upon each floor as may be necessary, from sunrise to sunset, and all such lights shall be so arranged as to effectually guard against fire.

127. Every vent-shaft hereafter constructed in a tenement-house shall be at least nine square feet in area, and the least dimensions of such shaft shall not be less than three feet; and if the building be above fifty feet in height, such shaft shall, throughout its entire height, be increased in area three square feet for each additional twelve feet in height or fraction thereof; and for each twelve feet in height less than fifty feet, such shaft may be decreased in area three square feet; a vent-shaft may be enclosed on all four sides, but it shall not be roofed or covered over in any way; every such shaft shall be provided with a horizontal intake or duct at the bottom, communicating with the street or yard or with a court; such duct or intake to be not less than four square feet in total area and to be arranged so as to be easily cleaned out.

128. Where any vent-shaft in any now existing tenement-house is roofed or covered over in any way, such roof or other covering shall be completely removed or made to conform with such requirements as the board may find necessary to secure ample ventilation.

129. No vent-shaft in any tenement-house now existing or hereafter erected shall be used as a place of storage for any articles of any kind whatsoever, nor shall it be obstructed by any shelf or other similar contrivance.

130. In any now existing tenement-house no room in the basement or cellar shall be occupied for living purposes without a written permit from the board, and such permit shall be kept readily accessible in the main living room of the apartment containing such room, and may be canceled at any time by the board or by the local board of health having jurisdiction; but no such permit shall be granted unless such room shall have at least one window opening on a street, court or yard not less than four feet wide, and such room shall have sufficient light, shall be well drained and dry, and shall, in the opinion of the board, be fit for human habitation; and the ceiling of such room shall be in every part not less than seven feet high, and not less than four feet above the ground outside; there shall be, outside of and adjoining such room and extending along the entire frontage of the same, an open area, which shall be at least two feet and six inches in its least dimensions, unless such room extends for more than one-half of its height above the curb level; such area shall be well and effectually drained.

131. In tenement-houses hereafter erected no room in the cellar or in the basement shall be constructed, altered, converted or occupied for living purposes unless all of the following conditions are complied with:

I. Such room shall be at least eight feet and six inches high in every part, from the floor to the ceiling; *provided*, that in buildings already erected and not now used as tenement-houses, but hereafter altered or converted to such use, such room shall not be less than eight feet in every part, from the floor to the ceiling;

II. The ceiling of such room shall be at least five feet above the surface of the street or ground outside of or adjoining the same;

III. There shall be, appurtenant to such room, the use of a separate water-closet;

IV. Such room shall have a window or windows opening upon the street or upon a yard or court; the total area of windows in such room shall be at least one-eighth of the superficial area of the room, and one-half of the sash shall be made to open full width; and the top of each window shall be within six inches of the ceiling.

132. In every tenement-house now existing or hereafter erected the floor of the entire cellar or other lowest floor below or on grade shall be finished with concrete, asphalt or other similar material approved by the board; all new floors, if laid with concrete, shall not be less than four inches thick and finished with one inch of cement surfacing; and every tenement-house hereafter erected on any lot which is damp, or which is affected by tidewater or the drainage of surface water from other properties, shall have all walls below the ground level cemented at least one-half an inch thick and given a coat of asphalt.

133. In every tenement-house hereafter erected or now existing the cellar walls and ceilings shall be thoroughly whitewashed or painted a light color by the owner and shall be so maintained; such whitewash or paint shall be renewed whenever necessary, as may be required by the board.

134. In every tenement-house hereafter erected the bottom of all shafts, courts, areas and yards which extend to the basement for light or ventilation of living rooms, shall be six inches below the floor level of the part so occupied or intended to be occupied, and the bottom of all vent-shafts and inner courts in such building shall be paved with flag-stones, cement or asphalt, or similar substances.

135. In every tenement-house now existing or hereafter erected all shafts, courts, areas and yards shall be properly graded and drained and connected with the street sewer where such connection be possible and permitted by local ordinances; and when required by the board shall be paved with stone, cement, or asphalt or other approved material.

136. In every tenement-house now existing or hereafter erected there shall be, at the bottom of every shaft and inner court a door giving sufficient access to such shaft or court as to enable it to be properly cleaned out; in shafts or courts of a less size than prescribed by this act for tenement-houses hereafter erected, such doors shall be fire-proof and self-closing; *provided*, that where there is already a window or door in a now existing tenement-house, giving proper access to such shaft or court, such window or door shall be deemed sufficient.

137. In every tenement-house now existing or hereafter erected the walls of all courts, inner courts and shafts, unless built of a light color brick or stone, shall be thoroughly whitewashed, or shall be painted a light color by the owner and shall be so maintained; such whitewash or paint shall be renewed whenever necessary, as may be required by the board.

138. Every tenement-house and every part thereof, shall be kept clean and free from every accumulation of dirt, filth or garbage or other matter in or on the same, or in yards, courts, passages, areas or alleys, connected with the same or belonging to the same; the owner of every tenement-house or part thereof shall thoroughly cleanse all the rooms, passages, stairs, floors, windows, doors, walls, ceilings, privies, water-closets, cesspools, drains, halls, cellars, roofs and all other parts of said tenement-house or part of a house of which he is the owner, to the satisfaction of the board and shall maintain the said parts of the house in a clean condition at all times; no person shall place filth, urine or fecal matter in any place in a tenement-house other than that place provided for the same, or keep filth, urine or fecal matter in his apartment or upon his premises such length of time as to become a nuisance.

139. No wall paper shall be placed upon any wall or ceiling of any tenement-house unless all old wall paper shall be first removed therefrom and said wall and ceiling thoroughly cleaned.

140. No tenement-house nor any part thereof shall be used for a lodging-house or for the storage or handling of rags; within the fire limits no horse, cow, calf, swine, sheep or goats shall be kept in any tenement-house or on the lot upon which such tenement-house is erected; but outside said fire limits animals may be housed on such lot; *provided*, they are housed at least forty feet distant from any tenement-house, and

that such housing is not detrimental to health, in the opinion of the board, and that such housing is constructed and maintained in such manner as the board may require.

141. In any tenement-house in which the owner thereof does not reside and which is occupied by or arranged to be occupied by more than six families, there shall be a janitor, housekeeper or some other responsible person, who shall reside in said house and who shall have charge of the same, if the board shall so require.

142. No room in any tenement-house shall be so overcrowded that there shall be afforded less than four hundred cubic feet of air to each adult, and two hundred cubic feet of air to each child under twelve years of age, occupying such room.

143. In every tenement-house hereafter erected where there is no cellar or basement, and having an air-space underneath, such air-space shall be at least two feet in height, extending over its entire area, and the surface of the ground under any such air-space shall be concreted, as required for cellar bottoms in paragraphs one hundred and thirty-two and one hundred and forty-six of this act; and said air-space shall be enclosed in brick walls, provided with iron grills, set in front and rear walls for ventilation, the apertures shall be one inch square and shall not be less than six in number. There shall also be provided an outside door, opening to such air-space, not less than eighteen inches square; said opening shall be securely closed with a proper door, which shall be kept locked at all times; and the floor above any such air-space shall be laid with a double flooring of matched boards, with a layer of heavy three-ply building paper or felt between the under and the upper floors, the upper floor to be laid at an angle not less than forty-five degrees with the lower floor.

SECTION 2.

144. Every tenement-house hereafter erected or now existing, and all the parts thereof, shall be placed and maintained in good repair and the roofs shall be kept so as not to leak; and all rain-water shall be so drained and conveyed therefrom as to prevent its dripping on to the ground or causing dampness in the walls, ceilings, yards or areas.

145. Every tenement-house hereafter erected shall comply with all local ordinances regulating the construction of buildings and shall further comply with all the following regulations where they are supplementary to said local ordinances or where local ordinances do not exist.

146. In every tenement-house hereafter erected all materials and workmanship used therein shall be of good quality, and said building shall be constructed in all parts in a strong and substantial manner; all footing for foundation walls, chimneys or piers, and all bearing walls or bearing partitions, shall be constructed of such size and in such manner as to safely sustain the loads to be imposed; where used in the con-

struction or repair of any tenement-house or any part thereof, the following materials shall be of such character and used in such manner as hereinafter specified:

I. All brick shall be good, hard, well-burned brick; when old bricks are used they shall be thoroughly cleaned before being used, and they shall be whole, good, hard, well-burned bricks.

II. All sand used for mortar shall be clean, sharp, grit sand, free from all loam and dirt.

III. Lime mortar shall be made of one part of lime and not more than four parts of sand; all lime used for mortar shall be thoroughly burned, of good quality and properly slacked before it is mixed with the sand.

IV. Cement mortar shall be made with cement and sand in the proportion of one part of cement and not more than three parts of sand and shall be used immediately after being mixed; the cement and sand are to be measured accurately and thoroughly mixed before adding water; the cement must be very finely ground and free from lumps.

V. All walls laid below grade, all chimneys, parapet walls or walls exposed on both sides and the walls of all vaults and cesspools shall be laid in cement mortar.

VI. All concrete shall be made of at least one part of cement to three parts of sand and five parts broken stone, sharp gravel or hard clinkers.

VII. Where concrete is used for cellar bottoms or the bottoms of areas, shafts or courts, and is surfaced with cement, said surfacing shall be not less than one inch thick and composed of not less than one part of cement to two parts of sand.

147. All timbers and wood beams used in the construction or repair of any tenement-house shall be of good, sound material, free from rot, large or loose knots, shakes or any other imperfection whereby the strength of such timber or wood beams may be impaired and shall be of such size, strength and dimensions as the purpose for which they are used shall require.

148. No foundation wall of any tenement-house hereafter erected shall be less than twelve inches in thickness, if built of brick, or less than eighteen inches if built of stone, excepting only that frame tenement-houses not more than two stories high may have brick foundation walls eight inches thick above grade, for a height not exceeding two feet and six inches.

149. The walls of all areas, vaults and privies appertaining to any tenement-house may be considered as retaining walls and shall then be not less in thickness than one-quarter of their height.

150. Where sewers are found in the street upon which it is proposed to erect a tenement-house, the cellar of such house shall be connected to the sewer, if permitted by local ordinances, before the walls

are carried above the first tier of beams; and if no sewer is found in such street, then the owner shall make provision to prevent water accumulating and remaining in the cellar more than twenty-four hours.

151. No timber shall be used in any wall of any tenement-house where stone, brick or iron is commonly used; and no walls shall be carried upon a permanent timber support.

152. Floor beams hereafter used in the construction or repair of any tenement-house shall be so proportioned that the deflection shall not be greater than one-three hundred-and-sixtieth of the span and they shall be doubled under all partitions.

153. All wooden trimmer and header beams, where headers carry more than two tail beams, hereafter placed in any tenement-house, shall be at least double the thickness of other floor beams.

154. Every wooden beam resting upon a brick wall hereafter placed in any tenement-house shall have a bearing of at least four inches; and such wooden beams shall have the ends so resting cut to a bevel of three inches on their depth.

155. All wooden floor beams and roof beams hereafter placed in any tenement-house shall be properly cross bridged and the distance between bridging and walls shall not exceed eight feet.

156. No studs less than two inches by four inches, full measurement, shall hereafter be used in any tenement-house; and such studs shall be doubled around all doors and window openings.

157. In all tenement-houses hereafter erected there shall be an air-space between the ceiling of the upper story and the roof, which air-space shall not be less than eighteen inches in every part between beams; and such space shall be properly ventilated with louvres.

158. New structural or finishing material of whatsoever nature, intended to be used in any tenement-house as a substitute for materials the use of which is permitted by this act, shall be subject to such tests, under the supervision of the board, as the board may require or direct, and a certified copy of the results of such tests shall be made and shall be placed on file with the board; and no such material shall be used in any tenement-house until a written permit shall have been granted and issued by said board; and the expenses of such tests shall be paid by the person applying for the privilege of using such material.

ARTICLE IV.

SECTION 1.

159. Every tenement-house hereafter erected or now existing shall be provided with proper water-closet accommodations for its tenants, separate and distinct from the water-closet accommodations of any other tenement-house.

160. In every tenement-house hereafter erected, there shall be, within each apartment, at least one water-closet; and there shall also be provided similar water-closet accommodations for any store or workshop which may be located on the premises, and such water-closet accommodations shall be separate and distinct from that provided for any apartment.

161. Every now existing tenement-house shall have not less than one water-closet for every two families occupying such house; and where a sewer connection is possible and such tenement-house is over four stories in height, the said water-closets shall be placed in the building, within each apartment or opening off the public halls; and the said water-closets shall be located on the same floor as the apartments for the use of which they are intended; where such building is not over four stories in height, the water-closets may be located in the yard, provided that the yard is of such size that the structure containing the required number of water-closets shall not cover more than fifty per centum of the unoccupied area of said yard; where the yard is not of sufficient size to permit the water-closets to be so installed then the water-closets shall be placed in the house, as required for buildings over four stories high; where water-closets are so located in the yards of any now existing tenement-house, all traps, flush tanks and pipes shall be effectively protected against freezing; and where or when such protection against freezing shall be found to be inadequate, the board may direct proper water-closet accommodations to be placed within the house.

162. Every water-closet in every tenement-house hereafter erected or now existing, shall be in a compartment completely separated from every other water-closet, and every such compartment hereafter constructed shall be at least two feet and four inches wide and shall have a sash window of not less than three square feet in area; such window shall be arranged so as to open readily and directly to a street, yard, court or vent shaft; the floor or every such compartment hereafter constructed, which contains, or is intended to contain, an individual water-closet, as hereafter described, shall be made waterproof with asphalt, tile, stone or other approved waterproof material, and such waterproofing shall be carried six inches above the floor of the compartment, so that the said compartment may be washed or flushed out without leaking; where such compartments are hereafter located within a tenement-house, they shall be enclosed on all sides with plaster partitions, carried from the floor to the ceiling; and provision shall be made for lighting the said compartments at night; if fixtures for gas or electric lighting are not provided, then translucent glass panels shall be placed in the doors, said panels to have an area of not less than five square feet; where such compartments are located in the yard of any tenement-house, the structure containing such compartments shall be substantially constructed, tightly enclosed and partitioned off and the roof made water tight; such compartments shall not exceed ten feet in height, nor shall the structure containing them be used for any other purpose than for water-closet purposes; neither shall it be considered as increasing the percentage of lot

occupied, nor be subject to the provisions of paragraph one hundred and thirteen of this act.

163. Nothing in this act contained shall be construed as prohibiting a general water-closet or toilet-room containing several water-closets; *provided*, that such general water-closet or toilet-room is supplemental to the water-closet accommodations required for the apartments.

164. In every now existing tenement-house where a connection with a sewer is possible, all privy vaults, school sinks, cesspools or other similar receptacles for fecal matter, urine or sewage shall, on or before the first day of January, one thousand nine hundred and five, be completely removed and the places where they were located properly disinfected and filled in under the direction of the board.

165. Every water-closet hereafter placed in any tenement-house hereafter erected or now existing shall be an individual water-closet of durable, non-absorbent material, properly connected with the sewer and having individual traps, properly connected flush tanks of not less than five gallons capacity, and providing an ample flush of water to thoroughly cleanse the bowl; no hopper, pan, valve, plunger, offset washout, or other water-closet having an unventilated space, or the walls of which are not thoroughly washed at each flush shall be hereafter installed; *provided, however*, that for yard closets the long hopper type of closet may be used.

166. No water-closet bowl in any tenement-house shall be hereafter enclosed in any way; and where now existing water-closet bowls are so enclosed, such enclosure shall be removed and the space under the seat shall be left open and the floor under and around such closet shall be maintained in good order and repair by the owner, and if of wood shall be kept well painted with a light-colored paint.

167. In all now existing tenement-houses where sewer connections are not possible, all cesspools and privy vaults or other receptacles for fecal matter, urine or sewage of any description shall be made water tight, so as not to leak or permit seepage of liquid matter; and the owner shall see that proper arrangements are made and maintained so that the said cesspool or privy vault shall be emptied whenever such cesspool or privy vault or other receptacle shall become filled to within one foot of the grade level; and the said owner shall also provide fresh earth or lime or other disinfectant and have the same spread over the contents of any privy vault at least once in each week, or as often as ordered by the board; all such cesspools and privy vaults which are found to be not water-tight shall be cleaned out, disinfected and filled in with fresh earth and new cesspools or privy vaults constructed in such manner and in such location as shall be approved by the board; or such cesspools and privy vaults may be rebuilt or repaired as directed by the board.

168. In any tenement-house hereafter erected cesspools will be allowed only when their use is absolutely necessary and then only when constructed as directed by the board; and no cesspool shall be permitted to be constructed within twenty-five feet of any tenement-house.

169. Every tenement-house hereafter erected shall have at least one sink located within each apartment and such sink shall be supplied with running water.

170. Every now existing tenement-house located on any street in which water mains are laid shall be properly connected to such water mains and shall have at least one sink within each apartment; *provided, however,* that in tenement-houses where a sink is now installed on each floor, in the public hall, such sinks shall be deemed sufficient.

171. Every sink in every tenement-house hereafter erected or now existing shall be of a durable, non-absorbent material, supported on legs or brackets of a similar material, and shall not be enclosed in any way; and where such sinks are now enclosed said enclosure shall be completely removed.

172. Every tenement-house hereafter erected shall be properly connected to a sewer, where a sewer is accessible, before any part of said tenement-house shall be used as a dwelling-house.

173. Every now existing tenement-house shall be properly connected to a sewer, where a sewer is now or may be hereafter found in the street on which such tenement-house is situated.

174. Wherever a sewer can be obtained in the street upon which any tenement-house is located, by application to the municipality controlling the same, then the owner of such tenement-house shall make application for such sewer, and in case such application is refused he shall file with the board a properly certified statement of such refusal and the reasons therefor.

175. Where there is no sewer in the street upon which any tenement-house is now located or may hereafter be erected, and it is possible to construct a private sewer to connect to a sewer in an adjacent street not over one hundred and fifty feet distant, such private sewer shall be constructed.

176. Every tenement-house now existing or hereafter erected shall have provided, on the premises thereof, an ample supply of potable water.

177. Every tenement-house hereafter erected, and every now existing tenement-house where water mains are found or may be hereafter found in the street upon which such now existing tenement-house is situated, shall have running water supplied to every water-closet, sink and other plumbing fixtures contained in such house, and the owner shall provide proper and suitable tanks, pumps or other appliances to receive and to distribute an adequate and sufficient supply of such water to each fixture on every floor in the said house at all times of the year, during all hours of the day and night; but a failure in the general supply of water by the municipality or company controlling the same shall not be construed to be a failure on the part of such owner; *provided,* that proper and suitable appliances to receive and to distribute such water shall have been provided for said house.

178. Where water mains can be obtained in the street upon which any tenement-house is located by application to the municipality or company controlling the same, then the owner shall make such application, and in case such application is refused he shall file with the board a properly certified statement of such refusal and the reasons therefor.

179. Where the water-supply of any tenement-house now existing or hereafter erected is obtained from a well or other private source of water-supply, the use of such water shall be subject to test by the board, and its use shall be discontinued when so ordered by the board; and such water shall not be again used until its use is authorized by the board.

180. All tenement-houses now existing or hereafter erected shall be kept provided with proper and sufficient metallic leaders for conducting water from the roofs in such manner as to protect the walls and foundations of the said building from injury; in no case shall the water from said leaders be allowed to flow upon the sidewalk, but the same shall be conducted by the pipe or pipes to the sewer, where sewers exist, and where the municipality permits such disposal to be made; or if there be no sewer, or if such disposal is not permitted by the municipality, then the water shall be conducted by proper pipe or pipes below the surface of the sidewalk to a street gutter; a leader connected to the sewer must be trapped and shall not be used as a soil-pipe or waste-pipe, nor shall any such soil or waste-pipe be used as a leader; in no case shall the water from any such leader be connected with any vault or privy or cesspool used to receive fecal matter or urine, or sewage of any kind; nor shall any such leader be connected to any well or underground receptacle from which it is intended to be redrawn for use.

SECTION 2.

181. Before work on any portion of the plumbing or drainage system of any tenement-house is commenced, or before any material alteration or addition is made to any existing system, the owner or his agent shall cause to be filed with the board a certificate of approval of the proposed work, signed by the local board having jurisdiction, and at completion of the said work he shall also file a similar certificate of its approval as executed; where no local board exercises jurisdiction the owner or his agent shall file with the board plans and specifications of the proposed work, which shall be executed under the jurisdiction of the board and in accordance with such regulations as are necessary to secure a sanitary, workmanlike system.

ARTICLE V.

182. Before the alteration or construction of a tenement-house, or the alteration or conversion of a building for use as a tenement-house, is commenced, and before the construction or alteration of any building or

structure on the same lot with a tenement-house, the owner, or his agent or architect, shall submit to the State board of tenement-house supervision a detailed statement, in writing, verified by the affidavit of the person making the same of the specifications of such tenement-house or building, upon a blank or form to be furnished by the said board, and also a full and complete copy of the plans of such work; such statement shall give in full the name and residence by street and number of the owner or owners of such tenement-house or building; if such construction, alteration or conversion is proposed to be made by any other person than the owner of the land in fee, such statement shall contain the full name and residence, by street and number, not only of the owner of the land, but of every person interested in such tenement-house, either as owner, lessee, mortgagee or in any representative capacity; said affidavit shall allege that said specifications and plans are true and contain a correct description of such tenement-house, building lot and proposed work; the statements and affidavits herein provided for may be made by the owner, or the person who proposes to make the construction, alteration or conversion or by his agent or architect; no person, however, shall be recognized as the agent of the owner unless he shall file with the said board a written instrument, signed by such owner, designating him as such agent; any false swearing, in a material point, in any such affidavit, shall be deemed perjury; such specifications, plans and statements shall be filed with the said board and shall be deemed public records, and no such specifications, plans or statements shall be removed from the custody of said board; the said board shall cause all such plans and specifications to be examined; if such plans and specifications conform to the provisions of this act, they shall be approved by the said board, and a written certificate to that effect shall be issued to the persons submitting the same; and if the said board shall not approve such plans and specifications, the board shall, at the request of the person submitting the same, give him or them the reasons for such refusal, in writing; the board may, from time to time, approve changes in any plans and specifications previously approved by it; *provided*, the plans and specifications, when so changed, shall be in conformity with the provisions of this act, and may require, when it shall deem it to be necessary, a new set of plans to be filed; the construction, alteration or conversion of such tenement-house, building or structure, or any part thereof, shall not be commenced until the filing of such specifications, plans and statements, and the approval thereof as above provided; the construction, alteration or conversion of such house, building or structure shall be in accordance with such approved specifications and plans; any permit or approval which may be issued by the said board, but under which no work has been done, above the foundation walls, within one year from the time of the issuance of such permit or approval, shall expire by limitation; said board shall have power to revoke or cancel any permit or approval in case of any failure or neglect to comply with any of the provisions of this act, or in case any false statement or representation is

made in any specifications, plans or statements submitted or filed for such permit or approval.

183. No building hereafter constructed as, or altered into, a tenement-house shall be occupied, in whole or in part, for human habitation until the issuance of a certificate by the said board that said building conforms in all respects to the requirements of this act; such certificate shall be issued within ten days after written application therefor, if said building, at the date of such application, shall be entitled thereto.

184. If any building hereafter constructed as, or altered into, a tenement-house be occupied, in whole or in part, for human habitation, in violation of the last paragraph, the said premises shall be deemed unfit for human habitation, and the said board shall cause them to be vacated accordingly.

185. Nothing in this act shall be construed to abrogate or impair the power of local boards of health or building departments or of the courts to enforce any provision now existing or hereafter adopted in a city charter or an ordinance or regulation, not inconsistent with this act, or to prevent or punish violations thereof.

186. Every owner of a tenement-house and every lessee of the whole house, or other person having control of a tenement-house, shall file with said board a notice containing his name and address, and also a description of the property, by street number or otherwise, as the case may be, in such manner as will enable the board easily to find the same; and also the number of apartments in such house, the number of rooms in each apartment and the number of families occupying the apartments; in case of the transfer of any tenement-house it shall be the duty of the grantor or grantee of such tenement-house to file with the said board a notice of such transfer, stating the name of the new owner, within thirty days of such transfer; in case of the devolution of said property by will, it shall be the duty of the executor and devisee, if more than twenty-one years of age, or in case of the devolution of such property without a will, it shall be the duty of the heirs, or in case all the heirs are under age, it shall be the duty of the guardians of such heirs, and in case the said heirs have no guardian, it shall be the duty of the administrator of the deceased owner of said property to file with said board a notice, stating the death of the deceased owner and the names of those who have succeeded to his interests in said property, within thirty days after the death of the decedent, in case he died intestate, and within thirty days after the probate of his will if he died testate.

187. Every owner, agent or lessee of a tenement-house, if a resident of this state, may, and if a non-resident of this state, shall, file a notice with said board containing the name and address of an agent of such house, a resident of this state, for the purpose of receiving service of process, and also a description of the property, by street number or otherwise, as the case may be, in such manner as will enable said board easily to find the same; the name of the owner or lessee may be filed as agent for this purpose, if he be a resident of this state.

188. Every notice or order in relation to a tenement-house shall be served five days before the time of doing the thing in relation to which it shall have been issued; the posting of a copy of such notice or order in a conspicuous place in the tenement-house together with the mailing of a copy thereof, on the same day that it is posted, to each person, if any, whose name has been filed with the said board, in accordance with the provisions of paragraphs one hundred and eighty-six and one hundred and eighty-seven of this act, at his address as therewith filed, shall be sufficient service thereof; and if the name of the owner or agent has not been filed in accordance with the said paragraphs one hundred and eighty-six and one hundred and eighty-seven, then the posting of a copy of such notice or order, as herein provided, shall be sufficient service thereof.

ARTICLE VI.

189. Every person who shall violate or assist in the violation of any provision of this act shall be subject to a penalty of one hundred dollars, if such violation be willful, or to a penalty of twenty-five dollars, if such violation be not willful.

190. The owner of any tenement-house, or part thereof, or of any building or structure upon the same lot with a tenement-house, or of the said lot, where any violation of this act, or a nuisance exists, and any person who shall violate or assist in violating any provision of this act, or any legal notice or order of the said board, shall jointly and severally for each such violation be subject to a penalty of one hundred dollars, if such violation be willful, or to a penalty of twenty-five dollars if such violation be not willful; such persons shall also be liable for all costs, expenses and disbursements paid or incurred by the said board, or by any of the officers thereof, or by any agent, employe or contractor of the same, in the removal of any such nuisance or violation.

191. Every joint or several owner of any tenement-house shall be jointly and severally liable for any violation of any provision of this act, and every lessee of a whole tenement-house, or of the building or structure erected on the same lot with a tenement-house, shall be jointly and severally liable with the owner or owners of the fee of such tenement-house, building, structure and lot for any violation of any provision of this act. For the purpose of proving ownership in prosecutions to be brought under the provisions of this act, a certificate signed by the engineer or person having charge of the city atlas on which said property is plotted, that, at the time of the alleged violation for which said prosecution is brought, said property was plotted on said atlas in the name of the person against whom suit is brought, or a certificate of the person having charge of the records in the office of the assessor or taxing body of the municipality in which said property is situated, that, at the time the last assessment was made, the person against whom suit was brought was the person in whose name said property was assessed, shall be prima facie proof of ownership in any such prosecution.

192. Any person who shall interfere with the said board or with any of its employes in the performance of their duties under this act, or under the lawful regulations of the said board, and shall prevent, or attempt to prevent the said board or any of its employes from the performance of their said duties, shall be subject to a penalty of one hundred dollars.

193. Every district court in any city, and every justice of the peace in any county, and any police justice or recorder in any city, is hereby empowered, on oath or affirmation made according to law, that any person or persons has, or may have, violated or assisted in the violation of any provision of this act, to issue process at the suit of the state board of tenement-house supervision, either in the nature of a summons or warrant, against the person or persons so charged, which process shall, when in the nature of a warrant, be returnable forthwith, and when in the nature of a summons shall be returnable in not less than one nor more than ten entire days; such process shall state what paragraph of this act and particular part or parts of said paragraph are alleged to have been violated by the defendant or defendants; and on the return of such process, or at any time to which the trial shall have been adjourned, the said court, justice of the peace, police justice or recorder shall proceed to hear the testimony without the filing of any pleadings, and on being satisfied of the guilt of the defendant or defendants shall render judgment for the plaintiff in the sum of one hundred dollars, if it shall appear from the evidence that the offense was willful; but if it shall appear from the evidence that the offense was not willful, judgment shall be rendered for the plaintiff in the sum of twenty-five dollars; and the said court, justice of the peace, police justice or recorder shall, if judgment be rendered for the plaintiff, forthwith issue execution against the goods and chattels and person of the defendant or defendants; and said court, justice of the peace, police justice or recorder is further empowered to cause such defendants who may refuse or neglect to pay the amount of the judgment rendered against him, and all costs and charges incident thereto, to be committed to the county jail for a period not exceeding ninety days; and said court, justice of the peace, police justice or recorder is further empowered, in case any such defendant shall have been twice convicted of the violation of the same paragraph of this act, or of continuing the violation for which he was previously convicted, in addition to the payment of the penalty hereinbefore mentioned, to cause the defendant to be imprisoned in the county jail or county workhouse, with or without hard labor, for any number of days not exceeding one for each dollar of the penalty; *provided, however*, that no warrant shall issue against any freeholder unless affidavit shall also first be made that such freeholder is about to abscond from this state.

194. No district court of any city, justice of the peace, police justice or recorder shall have jurisdiction in any case of violation of this act which shall take place outside of the territorial jurisdiction of such district court, justice of the peace, police justice or recorder, as such territorial jurisdiction is now or may hereafter be established by law.

195. The officers to serve and execute any process issued out of any court by virtue of any provision of this act, shall be the officers authorized by law to serve and execute process in said courts and before such magistrates and officers as aforesaid.

196. In any action brought by the said board by virtue of any provision of this act, it shall be sufficient service of the summons or of any order of the court to serve the same as notices and orders are served under the provisions of paragraph one hundred and eighty-eight of this act.

197. In case the owner of any tenement-house in this state, who resides out of the state, or who absconds from, or conceals himself within this state, shall have violated or assisted in the violation of any of the provisions of this act, then the said board may proceed against the said non-resident or absent owner, to recover the penalty provided for such violation by writ of attachment to be issued out of any court of common pleas or circuit court in this state against the rights and credits, goods and chattels, lands and tenements of such non-resident or absent owner; and the proceedings shall be the same as in other cases in attachment issued out of said courts.

198. Any person who shall erect, or suffer to remain erected, any fence or other structure designed or intended to exclude the light and air from any tenement-house in this state shall be subject to a penalty of ten dollars for every day such fence or structure remains after notice from the said board to remove the same; which penalty shall be recovered in an action to be brought by the said board before any district court, justice of the peace, police justice or recorder, and the proceedings shall be the same as provided in paragraph one hundred and ninety-three of this act.

199. All fines, penalties and moneys imposed and collected under any provision of this act shall be paid by the justice, or by the clerk or other officer of the court receiving the same, to the treasurer of the state of New Jersey.

200. When the said board shall order any tenement-house vacated under any provision of this act, and the owner or occupants thereof shall refuse to vacate the same, any district court judge in any city, and any justice of the peace in any county, on complaint made on oath or affirmation, setting forth the order of the said board, the service thereof, and such refusal to vacate the tenement-house, describing it by street and number, or in any way sufficiently to identify the same, shall issue an order directing the owner of such tenement-house, the lessee of the whole house and the tenants thereof to show cause before him why such tenement-house should not be vacated, and on the return day of the order, if no good cause be shown for the refusal to vacate, the said judge or justice shall issue an order directing any sergeant-at-arms of said court, or any constable, to forthwith dispossess the occupants of the tenement-house complained of, and shall render judgment against the owner for the costs of the proceedings.

201. When complaint is made on oath or affirmation before any judge of a district court, justice of the peace, police justice or recorder, that the complainant believes that any building or structure is being used as a tenement-house, or that any building or structure is being used in violation of any provision of this act, such district court judge, justice of the peace, police justice or recorder, on being satisfied that probable cause exists for such belief, shall forthwith issue a search warrant authorizing any officer or employe of the said board to enter and search, examine and inspect such building or structure.

202. In case any tenement-house, building or structure, or any part thereof, is constructed, altered, converted or maintained in violation of any provision of this act, or of any order or notice of said board, or in case a nuisance exists in any such tenement-house, building or structure, or upon the lot on which it is situated, the said board may institute any appropriate action or proceedings to prevent such unlawful construction, alteration, conversion or maintenance, to restrain, correct or abate such violation or nuisance, to prevent the occupation of such tenement-house, building or structure, or to prevent any illegal act, conduct or business in or about such tenement-house or lot; in any such action or proceeding the said board may, by affidavit setting forth the facts, apply to the court of chancery for an order enjoining and restraining all persons from doing or permitting to be done any work in or about such tenement-house, building, structure or lot, or from occupying or using the same for any purpose until the final order or decree of said court; in case any notice or order issued by the said board is not complied with, the said board may apply by petition to the court of chancery for an order authorizing said board to execute and carry out the provisions of such notice or order, to remove any violation specified in such notice or order, or to abate any nuisance in or about such tenement-house, building or structure, or the lot upon which it is situated; the court of chancery is hereby authorized to make any order specified in this paragraph.

ARTICLE VII.

203. On or before the first day of May next, the governor, by and with the advice and consent of the senate, shall appoint five persons, who shall constitute a board of tenement-house supervision, to be known as the board of tenement-house supervision of the state of New Jersey, and who shall hold office for the term of one, two, three, four and five years, as designated in their respective appointments, and until their successors shall have been appointed and qualified; and the governor shall annually thereafter appoint one person to fill the vacancy in the said board, who shall hold office for five years and until his successor shall have been appointed and qualified; if the office of any appointed member shall for any cause become vacant before the expiration of the term for which such member was appointed, the same shall be filled by the governor for an unexpired term only; the members of the said

board shall be allowed their expenses actually incurred in and about the work of the board, which sum the treasurer of this state is hereby authorized to pay from any moneys in the treasury not otherwise appropriated, upon a warrant drawn by said board, signed by its president and attested by its secretary.

204. The said board shall elect one of its members as president, who shall call meetings of the said board once in every month, and also whenever in his judgment it shall be necessary and also whenever requested so to do by three members of the board; and the said board shall also elect a secretary to serve for the term of five years, whose compensation shall be fixed by the said board, subject to the approval of the governor.

205. The said board may, subject to the approval of the governor, appoint and remove such subordinate officers, assistants and employes as may be necessary, and assign them to duty in any part of the state; which officers and employes shall be paid by the board out of the moneys appropriated therefor, such sums as may be fixed and determined by the said board, subject to the approval of the governor.

206. The said board shall make all regulations as may be necessary for the proper administration of their duties under this act; and shall design and adopt a seal, and cause the same to be used in the authentication of the orders and proceedings of the board, and for such other purposes as may be necessary; the courts shall take judicial notice of such seal and of the signature of the president and secretary of the said board.

207. The said board shall, in the month of November of each year, make a report to the governor of its investigations and the results accomplished for the year ending October thirty-first, with such communications and suggestions concerning the same as it may deem proper.

• ARTICLE VIII.

208. Every now existing tenement-house shall be made to comply with all the provisions of this act on or before the first day of January, one thousand nine hundred and five.

209. Every tenement shall be open at all times for the purpose of inspection by the said board and by any member, officer and employe thereof; and the said board, members, officers and employes are hereby authorized at any time to freely enter and inspect any tenement-house.

210. All acts and parts of acts inconsistent with this act are hereby repealed, but this repealer shall not revive any act heretofore repealed.

211. This act shall take effect immediately.

Approved March 25, 1904.

Amendments approved March 31, 1905.

L A W S

RELATING TO

Factories, Mills, Workshops and Bakeries

Employment, Safety, Health and Work Hours of
Persons, Employes and Operatives in Places
Where Goods are Manufactured.

Compiled by the Department of Labor of New Jersey.

1907.

Factory Laws of New Jersey.

(In Effect September 1, 1904.)

AN ACT regulating the age, employment, safety, health and work hours of persons, employes and operatives in factories, workshops, mills and all places where the manufacture of goods of any kind is carried on, and to establish a department for the enforcement thereof.

EMPLOYMENT OF CHILDREN.

1. No child under the age of fourteen years shall be employed, allowed or permitted to work in any factory, workshop, mill or place where the manufacture of goods of any kind is carried on; any corporation, firm, individual, parent, parents or custodian of any child who shall violate any of the provisions of this section, shall be liable to a penalty of fifty dollars for each offense.

No child under fourteen to work in factories.

Penalty.

2. The word custodian as used in this act shall include any person, organization or society having the legal custody of a child.

Custodian defined.

3. If at the time of the employment of a child, the proofs of age specified in subdivisions I. and II. of this section, are filed with the corporation, firm or person employing the child, such proofs shall be conclusive evidence of the age of child in a suit against such employer for a violation of section one; *provided, however*, that correct copies of all papers, certificates, passports and affidavits relating to such employment shall be mailed, postage prepaid, to the department having charge of the enforcement of this act, at Trenton, New Jersey, within twenty-four hours after the same are filed, together with a statement of the legal name of the person, firm or corporation employing such child.

Evidence as to age.

Proviso.

Affidavit for
native-born
children.

I. Native Born Children.

The parent, parents or custodian shall make and swear to an affidavit before some officer authorized by the law of this state to take affidavits, setting forth the following facts: The name of the child in full; his or her residence, giving street and number; place where and year, month and day when born; name of father; maiden name of mother; church attended, if any; school last attended and time when, if any, and where the church and school are situated; if child was baptized, name and location of church or parish in which such baptism took place; there must accompany such affidavit a transcript of the record of the child's birth, duly attested by an officer having by law the authority to keep records of birth in the state, county, town or city in which the child was born; if no such birth record can be obtained and the child was baptized, then a certified copy of the baptismal record of the church or parish in which such baptism took place, duly certified as a true copy, under the hand of the person having the custody of such church or parish records, shall accompany the affidavit, and the affidavit shall set forth the age of child at time of baptism.

Copy of
passport for
foreign-born
children.

II. Foreign Born Children.

An affidavit to be made by the same persons and containing the same statement of facts as in the case of native born children, with an additional statement that the child named in the affidavit is the same mentioned and described in the passport under which the child was admitted to this country; a true copy of said passport must in all cases be attached to the affidavit.

III. Other Children.

Permits.

The commissioner shall have power to issue permits of employment to children upon the production of evidence of the child's age satisfactory to him; *provided*, that he shall first be satisfied that the child cannot obtain

Proviso.

a transcript of birth record, a baptismal certificate or passport, as provided in either subdivision I. or II.

4. In any suit brought to recover a penalty for violation of section one of this act, a copy of the baptismal record, certified to be a true copy under the hand of the person having the custody of such records for the church or parish in which such child was baptized, shall be prima facie evidence of the child's age (provided, that in case the age of the child is not set forth in the baptismal record, that there shall be other proof showing the age of the child at the time he or she was baptized).

Baptismal
record as
evidence.

Proviso.

5. The commissioner, assistant or any inspector is hereby empowered to demand of any parent, parents or custodian proof of the age of a child satisfactory to the commissioner, and such parent, parents or custodian shall, within five days after such demand is made, furnish to such officer proofs of such child's age; and in event of the failure to procure and furnish such proof of age, such child shall be discharged by his or her employer upon notice in writing signed by the commissioner, and shall not be re-employed until such proof of age shall have been furnished to the commissioner; any person violating the provisions of this section shall be liable to a penalty of fifty dollars for each offense.

May demand
proof of age.

Penalty.

6. Any one who shall swear falsely to any affidavit or present any certificate or passport which he or she knows to be false, and any person or persons who shall aid, assist or advise the making of a false affidavit or the obtaining of a false certificate or passport, shall be liable to a penalty of fifty dollars for each offense.

False
swearing.

Penalty.

7. The commissioner, assistant or the inspectors shall have power to demand a certificate of physical fitness from some regular practicing physician in the case of minors under the age of sixteen years, who, in the judgment of such officer, shall be physically unable to do the work in which such minor is employed, and shall have the power to prohibit the employment of such

Certificate
of physical
fitness.

minor until he or she shall produce a certificate of physical fitness; and any manufacturer or employer who shall retain in his employ a minor after such certificate shall be demanded, shall be liable to a penalty of twenty-five dollars.

Must keep register.

8. A corporation, firm or person, owning or operating a place coming under the provisions of this act and employing, allowing or permitting minors under the age of sixteen years to work therein, shall keep or cause to be kept in the main office of such place, in the town or city where such place is located, a register in which shall be recorded the names, places of residence and time of employment of all such minors working under

Open to inspection.

certificates, transcripts, passports or affidavits; such registers and certificates, transcripts and affidavits shall be produced for inspection upon demand of the commissioner, assistant or any of the inspectors; truant officers shall have the same right as inspectors to examine such registers and the certificates, transcripts, passports or affidavits, when authorized in writing so to do by the commissioner; any corporation, firm or person failing to keep such register or refusing to permit the persons herein authorized to inspect the same or the certificates, transcripts, passports or affidavits, shall be liable to a penalty of fifty dollars for each offense.

Penalty.

Maximum hours for minors.

9. No minor under the age of sixteen years shall be employed, permitted or allowed to work in places coming under the provisions of this act, more than ten hours in a day or fifty-five hours in a week; any corporation, firm or person permitting or allowing any violation of the provisions of this section, shall be liable to a penalty of fifty dollars for each offense.

Penalty.

Force given affidavits.

10. Affidavits of the age of children made and filed with the manufacturer before this act takes effect, shall have the same force and effect as the proofs required under subdivisions I. and II. of section three, of this act.

PROTECTION OF EMPLOYEES.

11. The openings of all hoistways, hatchways, elevators and well-holes upon every floor of any place coming under the provisions of this act, shall be protected by good and sufficient trap-doors or self-closing hatches and safety catches, or strong guard-rails at least three feet high, and shall be kept closed and protected at all times except when in actual use by the occupant of the building having the use and control of the same.

Protection of
hoistways.

12. All the main doors, both inside and outside of places coming under the provisions of this act, shall open outwardly or be sliding doors, and shall be kept unbolted and unlocked during the hours of employment.

Doors open
outward.

13. The owner or person in charge of any of the places coming under the provisions of this act, where machinery is used, shall provide, in the discretion of the commissioner, belt shifters or other mechanical contrivances for the purpose of throwing on or off belts or pulleys; whenever practicable, all machinery shall be provided with loose pulleys, all vats, pans, saws, planers, cogs, gearing, belting, shafting, set-screws, drums and machinery of every description shall be properly guarded; no person shall remove or make ineffective any safeguard around or attached to such machinery, vats or pans while the same are in use, unless for the purpose of immediately making repairs thereto, and all such safeguards so removed shall be promptly replaced; if the machinery, or any part thereof, or any vat, pan or vessel containing molten metal or hot liquid is in a dangerous condition or is not properly guarded, the use thereof may be prohibited by the commissioner, and a notice to that effect shall be attached thereto; such notice shall not be removed until the machinery is made safe and the required safeguards are provided; and in the meantime such unsafe or dangerous machinery, vats, pans, or vessels containing molten metal or hot liquid

Guarding
machinery.

Safeguards
not to be
removed.

Hallways
lighted.

shall not be used; when, in the opinion of the commissioner, it is necessary, the halls leading to work-rooms shall be provided with proper lighting facilities.

BLOWERS IN WORKSHOPS.

Blowers to
carry off
dust.

14. All corporations, firms or persons conducting a manufacturing business in any of the places coming under the provisions of this act, where emery wheels or emery belts of any description are used, either solid emery, leather, leather covered, felt, canvas, linen paper, cotton, or wheels, or belts rolled or coated with emery or corundum, or cotton wheels used as buffs, shall provide the same with blowers or similar apparatus, which shall be placed over, beside or under wheels or belts in such a manner as to protect the person or persons using the same from the particles of the dust produced and caused thereby, and to carry away the dust arising from or thrown off by such wheels or belts while in operation, directly to the outside of the building, or to some receptacle placed so as to receive and confine such dust; *provided*, that grinding machines upon which water is used at the point of the grinding contact and small emery wheels that are used temporarily for tool grinding in small shops employing not more than three persons at such work, shall be exempt from the provisions of this section if so ordered by the commissioner.

Proviso.

Hoods to be
used.

15. It shall be the duty of any person, firm or corporation conducting such manufacturing business, to provide or construct such appliances, apparatus, machinery or other things necessary to carry out the purpose of this act as set forth above, as follows: Each and every such wheel shall be fitted with a sheet or cast-iron hood or hopper of such form and so applied to such wheel or wheels that the dust or refuse therefrom will fall from such wheels or will be thrown into such hood or hopper by centrifugal force and be carried off by a current of air into a suction pipe attached to some hood or hopper.

16. Each and every such wheel six inches or less in diameter shall be provided with a round suction pipe three inches in diameter; wheels six inches to twenty-four inches in diameter, with round suction pipe five inches in diameter; and all wheels larger in diameter than those stated above shall be provided each with a round suction pipe not less than six inches in diameter; the suction pipe from each wheel so specified must be full size to the main trunk suction pipe, and the main suction pipe to which smaller pipes are attached shall in its diameter and capacity be equal to the combined area of such smaller pipes attached to the same, and the discharge pipe from the exhaust fan connected with such suction pipe or pipes shall be as large or larger than the suction pipe.

Size of suction pipe.

17. It shall be the duty of any person, firm or corporation operating any such place to provide the necessary fans or blowers to be connected with such pipe or pipes, as set forth in this act, which shall be run at the rate of speed such as will produce a pressure of air in such suction or discharge pipes sufficient to raise a column of water not less than five inches in a U-shaped tube; all branch pipes must enter the main trunk pipe at an angle of forty-five degrees or less; the main suction or trunk pipe shall be below the emery or buffing wheels and as close to the same as possible, and shall be either upon or beneath the floor on which the machines are placed to which such wheels are attached; all bends, turns or elbows in such pipes must be made with easy, smooth surfaces, having a radius in the throat of not less than two diameters of the pipe on which they are connected.

Connection and operation of blowers.

18. It shall be the duty of the commissioner to make orders in writing for the carrying into effect the provisions of sections fourteen, fifteen, sixteen and seventeen.

Orders in writing.

SIZE OF ROOMS.

Minimum
air space.

19. Not less than two hundred and fifty cubic feet of air space shall be provided for each employe or operative at work in a room in a place within the meaning of this act between the hours of six o'clock in the morning and six o'clock in the evening, and not less than four hundred cubic feet of air space for each employe so employed between the hours of six o'clock in the evening and six o'clock in the morning; *provided*, in all cases where the amount of air space provided does not exceed the amount above fixed, that such room is lighted by electricity during all hours that artificial lights are necessary and persons are employed therein, unless a written permit shall be obtained from the commissioner.

Proviso.

VENTILATION.

Proper
ventilation.

20. The owner, agent or lessee of a place coming under the provisions of this act, or employer, shall provide in each work-room thereof proper and sufficient means of ventilation; in case of failure the commissioner shall order such ventilation to be provided; such owner, agent, lessee or employer shall provide such ventilation within twenty days after the service upon him of such order in writing, and in case of failure shall be liable to a fine of ten dollars for each day after the expiration of the time given by such order to make the change.

Twenty days'
notice.

CLEANING MACHINERY.

Minors about
moving
machinery.

21. No minor under sixteen years of age shall be required, allowed or permitted to clean any part of the gearing or machinery in any place coming under the provisions of this act, while the same is in motion, or to work between the fixed or traversing parts of any machinery while it is in motion by the action of steam, water or other mechanical power.

EXPLOSIVES.

22. Every corporation, firm or person having or Explosives.
 keeping in his or its place or manufactory coming under
 the provisions of this act, any explosive or inflammable
 compound, shall keep or store such explosive or inflam-
 mable compound in such factory, mill, workshop or
 place in such way as not to obstruct or render hazard-
 ous the egress of employes or operatives in case of fire.

SANITARY.

23. Every factory, workshop or mill shall contain Sufficient and
separate
toilet facili-
ties.
 sufficient, suitable, convenient and separate water-closets
 for each sex, which shall be properly screened, ventilated
 and kept clean; and also a suitable and convenient wash-
 room; the water-closets used by women shall have sep-
 arate approaches; if women or girls are employed, a
 dressing-room shall be provided for them when ordered
 by the commissioner.

24. Factories and workshops in which women and Paint or
limewash.
 children are employed, and where dusty work is carried
 on, shall be lime-washed or painted at least once in every
 twelve months.

POSTING LAW.

25. An abstract of this law shall be prepared and Post abstract
of law.
 furnished upon request by the commissioner to every
 corporation, firm or person in this state who is affected
 thereby, and every manufacturer to whom a copy of such
 abstract is sent or delivered shall post such abstract of
 this law and keep it posted in plain view in such place
 that it can be easily read by the employes or operatives
 in coming in or going out from said factory, workshop
 or mill.

OBSTRUCTING OFFICERS.

No interference with officials.

26. No person shall interfere with, delay, obstruct or hinder by force or otherwise, the commissioner, the assistant commissioner or inspectors, while in the performance of their duties, or refuse to answer in writing or otherwise, questions asked by such officers relating to the matters coming under the provisions of this act; no person shall impersonate an officer of the department or forge his certificate of authority.

As to forfeiture of wages.

27. Any person, firm or corporation engaged in manufacturing which requires from persons in his or its employ, under penalty of forfeiture of a part of the wages earned by them, a notice of intention to leave such employ, shall be liable to the payment of a like forfeiture if he or it discharges without similar notice a person in such employ, unless in case of a general suspension of labor in his or its factory, mill or place where the manufacture of goods of any kind is carried on.

ACCIDENTS.

Reports of accidents.

28. All accidents that prevent the injured person or persons from returning to work within two weeks, or which result in death, shall be reported in writing to the department, at Trenton, New Jersey, within twenty-four hours after the expiration of four weeks or after the death of such person injured, as the same may be; such notice may be sent by mail, postage prepaid.

NOTICE OF OCCUPANCY.

Notice as to occupancy of factory.

29. Every corporation, firm or person shall within one month after he, they or it shall begin to occupy a factory, workshop, mill or place where the manufacture of goods of any kind is carried on, notify in writing

the department, at Trenton, New Jersey, of such occupancy, giving the legal title of such corporation and name of agent upon whom service of a summons can be made, and in case of a firm, the individual names of the members of the firm or the legal title of the concern so occupying such factory or workshop.

PENALTIES.

30. For the purpose of carrying into effect the provisions of sections eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, nineteen, twenty-one, twenty-two, twenty-three, twenty-four, twenty-six, twenty-seven and twenty-eight, the commissioner shall be and he is hereby authorized to make such orders in writing for the protection and safety of employes and operatives and the enforcement of this act in places coming under the provisions of this act, as in his judgment shall seem necessary to carry into effect the provisions of such sections; such order shall be in writing, signed by the commissioner, and shall specify what shall be necessary to be done and within what time; any corporation, firm or person, violating any of the provisions of sections eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, nineteen, twenty-one, twenty-two, twenty-three, twenty-four, twenty-six, twenty-seven and twenty-eight, shall, for each offense, be liable to a penalty of fifty dollars.

Penalties for violations.

SWEAT SHOPS.

31. No room or rooms, apartment or apartments, in any tenement or dwelling-house, shall be used for the manufacture of coats, vests, trousers, knee-pants, overalls, cloaks, furs, fur trimmings, fur garments, shirts, purses, feathers, artificial flowers or cigars, except by the immediate members of the family living therein; no person, firm or corporation shall hire or employ any person

Prohibiting sweat shops.

Permit
granted and
revoked.

Must post
permit.

Penalty.

Exception.

Provide fire-
escapes.

to work in any room or rooms, apartment or apartments, in any tenement or dwelling-house, at making, in whole or in part, any coats, vests, trousers, knee-pants overalls, cloaks, furs, artificial flowers or cigars, unless such person, firm or corporation first shall have obtained a written permit from the commissioner; which permit may be revoked by the commissioner at any time that the health of the community or of those employed as aforesaid may, in his judgment, require it, and that such permit shall not be granted until due and satisfactory inspection of the premises affected shall have been made by the said commissioner, assistant, or an inspector; such permit shall be framed and posted in a conspicuous place in the main room of the place to which it relates, shall be duly numbered and shall state the number of persons allowed to be employed therein.

32. Any person, firm or corporation being the owner, lessee or occupant of the place to which the preceding section relates, shall, for the violation of any of the provisions therein, be liable to a penalty of one hundred dollars for each offence.

33. This act shall not apply to a private house or private room used for manufacturing purposes by the family dwelling therein.

FIRE-ESCAPES.

34. Every factory, workshop, mill or place where the manufacture of goods of any kind is carried on, now or hereafter erected, which is three or more stories in height and in which twenty-five or more operatives or employes shall be at work on or above the third floor, shall be provided with outside iron fire-escapes as hereinafter provided; the fire-escapes shall be located at such places on the said buildings as may be best suited for the purpose intended or as the commissioner may designate in writing, and shall take in one or more windows on each floor above the first floor; fire-escapes

may project into the public highway to a distance not greater than four feet beyond the building line.

35. The fire-escapes shall consist of outside iron balconies, and stairways at each floor above the first connecting said balconies to the ground, except in the case of the fire-escape being over a public highway, when a drop-ladder shall connect the lowest balcony to the ground in a manner hereinafter specified; the stairways shall be placed at a slope no steeper than a ratio of one horizontal to one and one-quarter vertical; the balcony on the top floor shall be provided with a goose-neck ladder leading from said balcony to and above the roof.

How constructed.

36. *Balconies.*—The balconies shall not be less than three feet in width, taking in at each story above the ground floor at least one window of each part of building separated by inside walls in which twenty-five or more operatives or employes shall be at work; they shall be below and not more than one foot below the window sills, and extend in front of and not less than nine inches beyond each window; there shall be a landing not less than twenty-four inches square at the head and foot of each stairway; the stairway opening on each platform shall be of a size sufficient to provide clear headway; the windows or openings upon each balcony shall be of easy access and sufficiently large to permit easy passage through them, and shall be kept unobstructed; where the top of the window sill is more than two feet above the floor of building, inside steps shall be provided.

Balconies.

37. *Floors of Balconies.*—The floors of balconies shall be of wrought-iron or steel slats not less than one and a half inches by three-eighths of an inch, placed not more than one and one-quarter inches apart and well secured and riveted to iron battens not less than one and a half inches by three-eighths of an inch, not over two feet apart, and which battens shall rest on and be riveted to frame of balcony; said frame to consist of angle-iron

Construction and capacity of balconies.

not less than two and one-half inches by two and one-half inches by three-sixteenths of an inch thick, and to extend around the four sides of balcony floor, to rest upon brackets and be secured to same by rivets or bolts and to be riveted at corners; the openings for stairways in all balconies shall not be less than twenty-one inches wide and forty-two inches long, and such openings shall have no covers of any kind; the platforms of balconies shall be constructed and erected to safely sustain in all their parts a safe load of not less than eighty pounds per square foot, utilizing a ratio of four to one between the safe working load and the ultimate strength of all parts.

Construction
of railings.

38. *Railings*.—The outside top rail shall in no case be less than three feet above the floor of balcony, and shall extend around the entire platform and in all cases shall go through the wall at each end, be worked out to three-quarter inch bolt size and be properly secured by nuts with washers at least four inches square and three-eighths of an inch thick, and no top rail shall be connected at angles by cast-iron; the top rail of balconies shall be one and three-quarters inches by one-half inch of wrought-iron or one and a half inch angle-iron at least three-sixteenths of an inch thick, or such size and shape as shall be approved by the commissioner; the bottom rails shall in no case be more than eight inches above the floor of balcony and shall be of one and one-half inches by three-eighths of an inch wrought-iron, or of one and a half inch angle-iron at least three-sixteenths of an inch thick, well leaded or cemented into the wall; the standards or filling-in bars shall not be less than one-half inch round or square wrought-iron, well riveted to the top and bottom rails and to platform frame immediately where adjacent to brackets and shall be placed not more than six inches apart.

Construction
of stairways.

39. *Stairways*.—The stairways shall be constructed and erected to fully sustain in all their parts a safe load of not less than one hundred pounds per step, utilizing

a ratio of four to one between the safe working load and the ultimate strength of all parts, with the exception of the tread, which must safely sustain at said ratio a concentrated load of two hundred pounds; the treads shall be not less than seven inches wide and the rise of each step not more than nine inches; the treads shall be flat open treads of cast-iron not less than five-eighths of an inch thick, or of flat bars not over one and one-quarter inches wide or less than three-eighths of an inch thick, with spaces between not more than one inch or less than one-half of an inch; such bars to be riveted to angle-irons of not less than one and one-half inches in size, secured to strings, with double rivets or bolts; the stairs shall be not less than twenty inches wide between inside of strings, and there shall remain a clear passage between stairway and wall of building of not less than fourteen inches; the strings shall be not less than three-inch channels of iron or steel, or other shape equally strong, and shall, at both top and bottom, rest upon and be fastened to a bracket, which shall be fastened through the wall as hereinafter provided; the stairs shall have a hand-rail of not less than three-quarter inch round wrought-iron rod or pipe, on each side not less than thirty inches or more than forty-two inches above steps at any point, and same shall be secured and well braced.

40. *Brackets.*—The brackets shall be placed not more than four feet apart and not be less than three-quarters of an inch by one and one-half inches wrought-iron placed edgewise, or one and three-quarter inch angle-iron, one-quarter inch thick, to extend across full width of balcony and be well braced at a point not less than two-thirds of the distance from wall to end of bracket, by means of not less than three-quarters of an inch square wrought-iron or one and three-quarters inch angle-iron; the ends of brackets and braces shall go through the wall and be turned down three inches, or

Construction
of brackets.

be properly secured by nuts and washers four inches square and at least three-eighths of an inch thick; on new buildings the brackets shall be set as the walls are being built; when brackets are put on factories already erected, the part going through the wall shall not be less than one inch in diameter with screw nuts and washers not less than five inches square and one-half an inch thick.

Construction
of drop-
ladders.

41. *Ladders*.—A proper drop-ladder to reach to a safe landing place below shall be required from the lower balcony of any fire-escape over a public highway in place of a stairway, and when the floor of such balcony is more than sixteen feet above the sidewalk or ground a suitable landing platform shall be provided; such platform shall be located not more than ten feet above the ground and shall be connected with the balcony above by means of a stairway constructed as this act requires for stairways between balconies; such platform shall not be less than three feet in width and four feet long and provided with proper railings; the drop-ladder to ground shall be not less than fifteen inches in width with strings not less than one-half inch by two-inch iron, and rungs not less than five-eighths of an inch in diameter, placed not more than twelve inches apart and securely riveted through the strings; strings to be made of one piece and not connected in parts by rivets or bolts; the upper end of each string to be formed into a hook by which the ladder may be secured to the frame of the balcony when in use; the goose-neck ladder shall be securely fastened to the wall of the building and the strings shall extend at least thirty inches above the roof and return down and be secured to same; there shall be a space of not less than fourteen inches between such ladder and the outer rail of balcony.

Properly
painted.

42. *Painting*.—All the parts of such fire-escapes shall receive not less than two coats of paint, one in the shop

and one after erection, and shall be painted thereafter whenever the same may be needed.

43. The commissioner shall have the power to make and have served an order in writing upon any owner or owners of any building coming under the provisions of this act, ordering that a fire-escape shall be erected either on a new building or on a building already erected, or ordering that a fire-escape already erected shall be changed and altered in such manner as he shall in such order designate; such fire-escapes must conform to the provisions of this act; any corporation, firm or person failing or neglecting to obey such order within the time therein limited, shall be liable to a penalty of one hundred dollars for such failure, and to a further penalty of ten dollars for each day that shall elapse after the expiration of the time limited in said order, until a fire-escape shall be erected on such building in compliance with the terms of such order; *provided*, that fire-towers, when approved by the commissioner, shall be legal protection the same as iron fire-escapes as hereinbefore provided.

May order
erection of
fire-escapes.

Penalty.

Proviso.

PROCEDURE.

44. All proceedings brought under the provisions of this act shall be by action of debt, in the name of the commissioner, to be instituted in any district court of a city, recorders' court of cities, or before any justice of the peace having due jurisdiction, and the first process shall be by summons returnable in not less than five nor more than ten days, which process shall be served on the owner or owners, person or persons or any of them, owning the place or operating the business wherein the alleged violation of law has taken place; if such owner or owners, person or persons, reside in the county where the offense was committed, or if the owner or owners, person or persons as aforesaid, do not so reside in the county where the offense was committed, then

Form of
legal pro-
ceedings.

Summons.

said process shall be served on the superintendent, foreman or person in charge of the business or place; service upon a corporation shall be made upon the president, vice-president, secretary or any director, and if none of them reside in the county where the offense was committed, then service may be made upon the superintendent, foreman or person in charge of the business or place; in case the owner or owners of a building reside without the limits of the county, then service of the process may be made upon the agent in charge of said building, and if there be no such agent, then service of the process may be made by affixing a copy thereof to the main outer door of such building at least ten days before the return day thereof; all proceedings thereafter shall be the same as in an action of debt in said court; the finding of the court shall be that the defendant has or has not, as the case may be, incurred the penalty claimed in the demand of the plaintiff, and judgment shall be given accordingly; in case an execution shall issue and be returned unsatisfied, the court, on application, after notice to the defendant, may award an execution to take the body of the defendant, if an individual, and in case such a defendant is committed under such an execution, he shall not be discharged under the insolvent laws of the state, but shall only be discharged by the court making the order for the body execution, or one of the justices of the supreme court, when such court or justice shall be satisfied that further confinement will not result in the payment of the judgment and costs; all moneys collected under the provisions of this act shall be paid into the treasury of the state of New Jersey.

Judgment.

If execution issue.

Discharge.

Fines to state treasury.

DEPARTMENT.

Department
of labor.

45. (Amendment of 1907.) For the purpose of carrying into effect and enforcing the provisions of this act, there shall be and hereby is established a department to

be known as the department of labor; the department shall have its main office in Trenton, and shall consist of a commissioner, an assistant commissioner and eleven inspectors; the Governor shall, immediately after the passage of this act, with the advice and consent of the senate, appoint some suitable person who shall be a resident and citizen of this State, as head of the said department, at a salary of thirty-five hundred dollars per year, to be paid monthly, whose term of office shall be three years and until his successor is appointed, and whose title shall be Commissioner of Labor; the commissioner shall, with the approval of the Governor, appoint the assistant commissioner, who shall be an experienced machinist; he shall receive a salary of two thousand dollars per year, to be paid monthly; the Governor shall appoint eleven suitable persons as inspectors, two of whom shall be women, whose salary shall be one thousand five hundred dollars per year each, to be paid monthly; the terms of office of the assistant and the inspectors shall be three years unless sooner removed by the commissioner; the assistant and the inspectors shall each be furnished with certificates of authority by the Secretary of State, and they shall produce the same if so required by any manufacturer; the commissioner shall have the power, out of the appropriation made for the purpose of carrying on the work of the department, to purchase badges for the assistant, the inspectors and himself; the commissioner may divide the State into districts, assign inspectors to such districts, and may, in his discretion, transfer them from one district to another; the commissioner, assistant and inspectors may administer oaths and take affidavits in matters relating to the enforcement of this act; the commissioner shall have the right to employ such department clerks for carrying on the work of the department as may, in his judgment, be necessary; such clerks shall receive such salaries as the commissioner,

Consists of.

Commissioner
and assistants;
their salaries.

May divide
State.

Extra help.	with the approval of the governor, shall fix, to be paid by the treasurer on warrant of the comptroller in equal monthly installments; when the work of the department shall necessitate the employment of additional inspectors, the commissioner shall have the power to employ such inspectors at such compensation and for such length of time as he may deem necessary, and such extra inspectors shall have the same rights, powers and privileges as the inspectors appointed by the governor; all salaries and expenses, incurred by the commissioner, assistant and all inspectors, in the discharge of their duties, and all salaries and expenses necessary to carry out the provisions of this act shall be paid from the funds of the state out of the moneys appropriated for that purpose, by the treasurer upon warrant of the comptroller, upon presentation of proper vouchers for the same, approved
Duties.	by the commissioner; it shall be the duty of the commissioner to enforce the provisions of this act and to exercise supervision and control over the assistant and the inspectors, and to cause inspections to be made of the factories, mills, workshops and places where the manufacture of goods of any kind is carried on, by the assistant and the inspectors, as often as practicable, and to make a report of the work of the department to the governor of the state on or before the thirty-first day of October in each year; to prosecute violations of the provisions of this act in any district court, recorders' courts of cities and before any justice of the peace having due jurisdiction or in any other court of competent jurisdiction in this state; the commissioner, the assistant
Annual report.	commissioner and the inspectors shall have the right at all reasonable hours to enter and inspect factories, mills, workshops and places where the manufacture of goods of any kind is carried on, and each inspector shall make a report in writing of such inspections to the commissioner at least once in each week; inspectors shall make out a list of minors discharged, with the name
Right to enter to inspect.	
Inspection list furnished school authorities.	

of child in full, residence, street and number, name of place from which such minor was discharged and date of discharge; he shall send or deliver within twenty-four hours, such list to the principal of the public school in the district where the minor resides or to the truant officer having such school district in charge; every deputy inspector shall devote at least eight hours of every working day except public holidays, and four hours on Saturdays, to the discharge of his or her duties as such deputy inspector, unless prevented by illness or other disability, and no deputy inspector shall engage in any business, occupation or employment during his or her term of office that will in any way interfere with or prevent the full and faithful performance of such duties.

Hours of
service.

46. This act shall be a public act and shall take effect on the first day of September, one thousand nine hundred and four.

When act
takes effect.

Payment of Wages.

CHAPTER 38, LAWS OF 1899.

AN ACT to provide for the payment of wages in lawful money of the United States every two weeks.

1. Every person, firm, association or partnership doing business in this state, and every corporation organized under or acting by virtue of or governed by the provisions of an act entitled "An act concerning corporations" (Revision of one thousand eight hundred and ninety-six), in this state, shall pay at least every two weeks, in lawful money of the United States, to each and every employe engaged in his, their or its business, or to the duly-authorized representative of such employe, the full amount of wages earned and unpaid in lawful money to such employe, up to within

Bi-weekly
payments in
lawful
money.

Proviso.

twelve days of such payment; *provided*, however, that if at any time of payment, any employe shall be absent from his or her regular place of labor and shall not receive his or her wages through a duly-authorized representative, he or she shall be entitled to said payment at any time thereafter upon demand; any employer or employers as aforesaid who shall violate any of the provisions of this section, shall be deemed guilty of a misdemeanor and shall be punished by a fine of not less than twenty-five dollars and not more than one hundred dollars for each and every offence, at the discretion of the court; *provided*, complaint of such violation be made within sixty days from the day such wages become payable according to the tenor of this act; the provisions of this section shall not apply to any employee or employees engaged in agricultural work or as watermen.

Penalty.

Proviso.

Agreements made in violation of this act not valid.

2. It shall not be lawful for any such person, firm, association, partnership or corporation, as aforesaid, to enter into or make any agreement with any employe for the payment of the wages of any such employe otherwise than as provided in section one of this act, except it be to pay such wages at shorter intervals than every two weeks; every agreement made in violation of this act shall be deemed to be null and void, and the penalties provided for in section one hereof may be enforced notwithstanding such agreement; and each and every employe with whom any agreement in violation of this act shall be made by any such person, firm, association, partnership, corporation or the agent or agents thereof, shall have his or her action and right of action against any such person, firm, association, partnership or corporation, for the full amount of his or her wages in any court of competent jurisdiction in this state.

Act to be enforced by department of labor.

3. (Amendment of 1904.) The department of labor of this state shall be and hereby is authorized and directed to enforce the provisions of this act and the commissioner of labor shall make complaint against any

employer or employers who neglect to comply with the provisions of this act for a period of two weeks after having been notified in writing by said commissioner of labor of the violation of this act; and it is hereby made the duty of county prosecutors of the pleas of the various counties in this state, to appear in behalf of the department of labor in all proceedings brought herein by the commissioner of labor.

Bakeries.

(In Effect July 4, 1905.)

SUPPLEMENT to an act entitled "An act regulating the age, employment, safety, health and work hours of persons, employes and operatives in factories, workshops, mills and all places where the manufacture of goods of any kind is carried on, and to establish a department for the enforcement thereof," approved March twenty-fourth, one thousand nine hundred and four.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. For the purposes of this act and the act to which it is a supplement, biscuits, pies, bread, crackers, cakes and confectionery shall be interpreted to be goods, and places wherein the same are made or manufactured shall be held and considered as places where goods are manufactured; the word bakery in this act shall include all buildings, rooms or places where biscuits, pies, bread, crackers, cakes and confectionery are made or manufactured, and the provisions of this act, or any supplement thereof or amendment thereto, shall be enforced by the department of labor, and it shall be the duty of the officers of that department to enforce the provisions of this act; all suits brought for violations of any of the provisions of this act shall be brought in the manner and under the same restrictions as is provided for bringing suits under the act to which this is a supplement.

"Goods" and
"bakery"
defined.

Enforce-
ment: of act.

2. No employe shall be required, permitted or suffered to work in any bakery more than sixty hours in any one week, or more than ten hours in any one day, unless

Working
hours per
day and
week.

Overtime.

No discharge
for testifying.

Sanitation
of workshop.

Size and
furnishing
of bakery.

for the purpose of making a shorter workday on the last day of the week, nor more hours in any one week than will make an average of ten hours per day for the whole number of days in which such employe shall so work during such week, but it shall be lawful, in cases of emergency, for an employer to permit any employe to work an additional time, not exceeding two hours per day, such extra work to be remunerated at the rate of weekly wages paid to such employe for his week of sixty hours; no employe in any bakery shall be discharged by his employer for having made any truthful statement as a witness in a court, or to the commissioner, assistant commissioner of labor, or any inspector in pursuance of this act, or any act amendatory hereof or supplementary hereto.

3. All buildings or rooms where goods are manufactured or made shall be drained and plumbed in a manner that will conduce to the proper and healthful sanitary condition thereof, and shall have airshafts, windows or ventilating pipes sufficient to insure ventilation; no cellar, basement, or place which is below the street level, shall hereafter be used and occupied as a place in which to manufacture biscuits, pies, bread, crackers, cakes and confectionery, except where the same was used for that purpose at the time of the passing of this act.

4. Every room used for a bakery shall be at least eight feet in height and shall have, if required by the said commissioner or assistant commissioner, an impermeable floor, constructed of wood properly saturated with linseed oil; the side walls of such rooms shall be plastered or wainscoted, except where brick walls are shown, and if required by the said commissioner or assistant commissioner, shall be whitewashed at least once in three months; the furniture and utensils in such rooms shall be so arranged that the furniture and floor may at all times be kept in a proper and healthful, sanitary and clean condition; the commissioner shall

Cleanliness

have the power to order that any bakery shall be cleaned in such manner as he shall direct; no domestic animal, except cats, shall be allowed to remain in a room used as a bakery.

5. Biscuits, pies, bread, crackers, cake and confectionery, after the same are made or manufactured, shall be kept in dry and airy rooms; the floors, shelves, pans, trays and every kind of appliances used for storing the same shall be so arranged that they can be easily and thoroughly cleaned.

Floors,
shelves,
pans kept
clean.

6. Whoever shall conduct a place covered by the provisions of this act shall provide a proper washroom and water-closet or closet separate and apart from the room or rooms in which the manufacture of the goods is carried on; no water-closet, earth-closet or privy shall be within or communicate directly with the room in which goods covered by the provisions of this act are made or manufactured.

Washroom
and closet.

7. Sleeping places for persons employed in a bakery shall be kept separate from the room or rooms used for a bakery, and the commissioner or assistant commissioner or an inspector may inspect such sleeping places, if they are on the same premises as the bakery, and order them cleaned or changed, in compliance with sanitary principles.

Separate
sleeping
rooms.

8. (Amendment of 1907.) The Commissioner of Labor shall be required to enforce compliance with all the provisions of this act, and for that purpose it shall be his duty to have all bakeries visited and inspected at least once in six months; and whenever a complaint in writing, signed by any employe in any such bakery or by any officer or representative of any labor union in the county wherein the same is located, shall be received by the said commissioner, stating that any provision of this act is being violated in any bakery, it shall be the duty of the said commissioner forthwith to have the said bakery concerning which complaint is made

Semi-annual
inspection of
bakeries.

When in-
spected.

As to clean-
liness.

Authority to
close bakery
and mark
"unclean."

visited and inspected. The visits or inspection shall be made in the presence of those then working or employed in said bakery, and during the usual hours of employment therein. All bakeries shall be kept at all times in a clean and sanitary condition. If on inspection the Commissioner of Labor find any bakery to be so unclean, ill drained or ill ventilated as to be unsanitary, he may, after not less than forty-eight hours' notice in writing, to be served by affixing the notice on the inside of the main entrance door of said bakery, order the person found in charge thereof immediately to cease operating it until it be properly cleaned, drained or ventilated. If such bakery be thereupon continued in operation, or be thereafter operated before it be properly cleaned, drained or ventilated, the Commissioner of Labor may, after first making and filing in the public records of his office a written order stating the reasons therefor, at once and without further notice fasten up and seal the oven or other cooking apparatus of said bakery, and affix to all materials, receptacles, tools and instruments found therein, labels or conspicuous signs bearing the word "unclean." No one but the Commissioner of Labor shall remove any such seal, label or sign, and he may refuse to remove it until such bakery be properly cleaned, drained or ventilated.

Night
workers.

9. No person under the age of eighteen years shall be employed, allowed, permitted or required to work in any bakery between the hours of seven o'clock in the afternoon and seven o'clock in the forenoon following.

Notices,
how given.

10. All notices given under or pursuant to this act, or any act supplementary thereof or amendatory thereto, shall be in writing, signed by the commissioner of labor, and may be served upon the owner or proprietor of the place wherein such violation occurred either by delivering the same to him in person or by sending it to him

by mail at his last known postoffice address, with postage prepaid; if his postoffice address is not known, then the said notice may be mailed to the address of the bakery or place wherein such violation shall have been committed; the notice providing for the doing of any act or the abating of anything forbidden by this act shall fix the time within which such act shall be done or such thing abated, and if the order shall not be obeyed within the time therein fixed the person so failing to obey shall be liable to the penalty herein fixed for the violation hereof.

Time for
abating.

11. Any person violating any of the provisions of this act, or any owner or proprietor who fails to obey any order of this act, shall be liable to a penalty of fifty dollars for the first offense and one hundred dollars for each subsequent offense.

Penalty for
violation.

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ORDINANCES
—OF—
THE CITY OF HOBOKEN,
—FROM THE—
INCORPORATION OF THE CITY TO 1901.

REVISED AND COMPILED
UNDER THE DIRECTION
—OF THE—
COMMON COUNCIL

—BY—
JAMES F. MINTURN,
Corporation Counsel.

DAILY DISPATCH-PRINT,



UNION HILL, N. J.

1901.

CITY ORDINANCES.

An ordinance to provide for the acceptance and adoption of the revised and recompiled ordinances of the City of Hoboken.

Whereas, the ordinances of the City of Hoboken have been recompiled and revised by the Corporation Attorney in accordance with the provisions of a resolution of the Common Council passed heretofore directing said compilation and revision; and

Whereas, the said ordinances have been submitted by the Corporation Attorney to the Common Council, recompiled and revised in accordance with the direction of the said resolution, and are now before the Council for acceptance and adoption, therefore

The Mayor and Council of the City of Hoboken do ordain as follows:

That the ordinances of the City of Hoboken, as recompiled and revised by James F. Minturn, Corporation Attorney, under and by direction of a resolution of the Common Council of the City of Hoboken heretofore passed, which recompiled and revised ordinances have been submitted to this board for adoption and acceptance, be and they are hereby adopted and accepted as the valid and legal ordinances of the City of Hoboken, to become operative therein upon the approval thereof by the Mayor of the City of Hoboken.

That all ordinances and parts of ordinances inconsistent with the provisions of this ordinance be and the same are hereby repealed.

AN ORDINANCE

Comprising the

ORDINANCES OF THE CITY OF HOBOKEN.

Be it ordained by the Common Council of the City of Hoboken, as follows:

CHAPTER I.

ESTABLISHING THE CITY SEAL.

SECTION 1. The seal heretofore provided and used by and for the City of Hoboken and which is described as follows: "A view of the old City of Hoboken in the neighborhood of the present Delaware, Lackawanna and Western Railroad freight station, when the same was used as the old Atlantic Garden, with the early City of Hoboken in the background and the hill in the distance, and a ferry-boat entering the slip." Encircling this are the letters "City of Hoboken, N. J. Corporate Seal," which Seal represented as aforesaid is hereunto annexed shall be and is hereby established and declared to have been and now to be the Common Seal of the City of Hoboken.

SEC. 2. The City Clerk shall have the custody of the City Seal, and the same shall be carefully preserved and kept by him, at all times, in his office.

CHAPTER II.

RELATING TO CITY OFFICES GENERALLY.

SEC. 3. The penalties of the official bonds of the offices herein named, shall be respectively as follows: That of the Comptroller, five thousand dollars; that of the Collector of Revenue, seventy thousand dollars;

that of the City Clerk, ten thousand dollars; that of the Street Commissioner, one thousand dollars; that of the City Treasurer, two hundred thousand dollars; that of the City Surveyors, twenty thousand dollars; that of the Corporation Attorney, one thousand dollars; that of the Overseer of the Poor, one thousand dollars; that of the Constable, one thousand dollars; that of the First Assistant City Clerk, two thousand dollars; that of the Second Assistant City Clerk, two thousand dollars; that of the Sinking Fund Commissioners, one thousand dollars.

And such officers shall execute such bonds respectively before they enter upon the discharge of the duties of their said offices respectively, and if any officer shall neglect to execute the bonds herein required of him within twenty days after the date of his election, appointment, or of the confirmation of such appointment, by the Common Council if such appointment be made by the Mayor, his office shall be declared vacant by the Common Council.

SEC. 3a. The bonds of all officers shall be drawn by the City Counsel and shall be executed with two or more sureties, conditioned as provided in the charter and ordinances of the City. Such sureties shall justify separately on the back of the bond that they are respectively worth the sums to be stated in their respective justifications, over and above all debts by them owing or incurred, or for which their property is liable or encumbered, at the time of justification, and over and above all exemptions, by law of their property from execution. The sums stated in such justifications on the bond of any officer shall in the aggregate amount to double the penalty of such bond. The execution of such bond shall be acknowledged by the officer and his sureties before some person authorized to take the acknowledgment of Deeds, and a certificate of such acknowledgment made thereon.

The City Clerk shall also endorse and certify on each

bond before the same be filed, the action of the Common Council approving the same, and the time of such approval.

SEC. 4. In case of the death or insolvency of any of the sureties on the bond of any City officer given as aforesaid, the Committee on Finance of the Common Council may require the officer who has given such bond to give a new bond with sufficient sureties as hereinbefore provided and if any officer shall neglect or fail to furnish such new bond when so required, it shall be deemed a sufficient cause for removal from office.

No member of the Common Council shall be surety on any bond given under the provisions of the preceding section, nor shall any City officer herein required to give bonds be surety on the bond of any other officer.

SEC. 5. The offices of all City officers shall be open every day, except Sundays and legal holidays, from nine o'clock a. m. to four o'clock p. m.

SEC. 6. The records, books, files, papers and documents of the City shall during office hours be open to the search, inspection and examination of the public, provided however that if in any case the officer having charge of the same shall deem it conducive to the public interest, he may require the applicant to procure the written permission of the Mayor, who may refuse to give such permission if he deem proper, unless such search, inspection and examination be for the purpose of obtaining information for the prosecution or defense at law of such right, or for the purpose of ascertaining taxes or assessments, and provided that such search, inspection and examination be made under such regulations as the officer in whose custody such records, books and documents may be, shall establish for the safety and preservation thereof.

SEC. 7. All the books, maps, papers, accounts, statements, vouchers and other documents whatsoever in any City office, which may from time to time accumulate therein, or which belong or appertain thereto, shall

be carefully and conveniently filed, kept and preserved in the offices aforesaid respectively, and be and remain the sole property of the Mayor and Common Council of the City of Hoboken, and shall not at any time be removed from said offices, except when required for use in the official business of the City, and shall then be returned to the office to which they respectively belong without delay, and each City officer shall see that the requirements of this section are complied with in respect to his particular office.

SEC. 8. All licenses granted by the Mayor and Council, shall be registered in books to be kept in the office of the City Clerk. All permits granted by any City officer shall be registered in books to be kept in the office of the City officer issuing such permit.

SEC. 9. No City officer shall be interested in any contract with the City, or in compensation for work done for, or materials or supplies furnished to the City or to any contractor or other person furnishing the same to the City, nor shall he participate in any profits with such contractor or other person or receive any compensation, commission, gift or other reward for his services, except the salary or fees established by law, or by ordinance or resolution of the Common Council.

SEC. 10. The administrative officers of the City, and all others, if required by the Mayor and Common Council, shall annually on the first day of May, and from time to time when required by the Mayor and Common Council, report to them in writing the condition of their respective offices, and of the business and all matters therein touching the interests of the City, and what business has been finished, and what remains unfinished of the last year.

SEC. 11. All officers advertising for proposals or estimates for contracts shall require such proposals or estimates to be accompanied by the consent in writing of two sureties, who shall at the time of putting in such estimates or proposals qualify as to their responsibility

in the amount of such proposal or estimate, and bind themselves that if the contract be awarded to the person or persons making the estimates or proposals, they will upon its being so awarded become bound as his or their sureties, for its faithful performance, and that if the person or persons omit or refuse to execute such contracts, they will pay to the City of Hoboken any difference between the sums to which he or they would have been entitled upon the completion of the contract, and that which the City of Hoboken may be obliged to pay to the person by whom such contract shall be executed.

SEC. 12. Any officer violating any provisions of Section Nine of this ordinance shall be deemed guilty of misconduct in office, and liable to removal from office therefor. Such officer shall be liable for any violation of any provision of this ordinance by any deputy, assistant, clerk or other subordinate appointed by him; and continuance in office by such officer of any such deputy, assistant, clerk or other subordinate, after knowledge of any such violation, shall be deemed misconduct in office by such officer, and he shall be liable to removal from office therefor.

SEC. 13. The salaries of the City officials herein-after named shall be as follows:

That of the Comptroller, two thousand dollars per annum, payable quarterly;

That of the Collector of Revenue, twenty-five hundred dollars per annum, payable quarterly;

That of the City Clerk, fifteen hundred dollars per annum, payable monthly;

That of the City Treasurer, two thousand dollars per annum, payable quarterly;

That of the Street Commissioner, twelve hundred dollars per annum, payable monthly;

That of the Corporation Attorney, two thousand dollars per annum, payable quarterly;

That of the Overseer of the Poor, twelve hundred dollars per annum, payable monthly;

That of the First Assistant City Clerk, fourteen hundred dollars per annum, payable monthly;

That of the Second Assistant City Clerk, twelve hundred dollars per annum, payable monthly;

That of the Recorder, twenty-five hundred dollars per annum, payable quarterly;

That of the Commissioners of Assessment of Taxes, twelve hundred dollars each per annum, payable monthly;

That of the City Physician, one thousand dollars per annum, payable monthly;

That of the Assistant City Physician, one thousand dollars per annum, payable monthly;

That of the License Inspector, fifteen hundred dollars per annum, payable monthly;

That of the Building Inspector, the sum of twelve hundred dollars, payable monthly.

CHAPTER III.

RELATING TO THE CITY CLERK.

SEC. 14. The City Clerk, by virtue of his office, is Clerk of the Common Council, the several committees thereof and of the Board of Police Commissioners, and the Commissioners of Appeals, and it shall be his duty to attend the meetings of the Common Council and of its committees when required, and of the Board of Police Commissioners and Commissioners of Appeals, and keep correct journals and minutes of the proceedings thereof, and record the same in separate books to be kept in his office.

SEC. 15. He shall cause the City Seal to be affixed to such instruments and writings as he may be authorized to do by any ordinance or resolution of the Common Council, or as may be necessary to exemplify any document or record in his office, or to certify any act or paper, which, from the records in his office shall appear to have

been a public act of this corporation or a public document.

He shall not affix the said Seal or permit it to be affixed to any instrument or writing or other paper, except as in this section provided, unless required to do so by some statute of the State.

SEC. 16. He shall have the custody and charge of and shall safely keep all records and documents, reports, papers and maps in proper files in his office, except such as shall pertain to the business of any other department or office or be transferred thereto by order of the Common Council, and shall be entitled to receive ten cents per folio for all copies of papers supplied by him to any person or persons demanding the same.

SEC. 17. He shall cause all the ordinances passed by the Common Council to be carefully and clearly engrossed in books to be provided for the purpose; and when so engrossed the record of each ordinance shall be signed by the Mayor and the City Clerk. He shall engross after each ordinance, a copy, certified by himself, of the proof of the due publication thereof; but his omission to engross any such ordinance or proof of publication thereof as hereby directed, shall not impair or effect its validity in any respect.

SEC. 18. He shall prepare a copy of all ordinances or proposed ordinances which require publication under the City Charter, or the several supplements thereto, and cause the same, properly attested, to be published in the newspapers, and shall file in his office the requisite proofs of such publication.

SEC. 19. He shall cause entire copies of all reports of City officers, other than those provided for in the preceding section, and excepting annual reports which are published in book form, and of committees of the Common Council after they shall have been finally acted upon by the Common Council, together with a statement of the action thereon, to be entered in full upon the minutes of the Council; and he shall cause the said min-

utes to be fully and completely indexed annually.

SEC. 20. He shall have the custody and charge of the general warrant book and shall draw warrants upon the City Treasurer for all bills and claims allowed by the Common Council, all specific appropriations of money made by them and for the payment of the salaries of the City officers, as fixed by ordinance or resolution of the Common Council, and not otherwise provided for.

He shall keep an accurate account in the margin of said warrant book of all warrants attested by him, showing the date, amount and number of each, and in whose favor the same was drawn and the object thereof.

SEC. 21. He shall countersign all licenses granted by the Mayor and Common Council under the charter and ordinances of the City, and receive all money paid for the same.

SEC. 22. He shall cause all resolutions and ordinances passed by the Council to be carefully and fairly engrossed in books to be provided for the purpose within ten days of the passing thereof respectively, together with all assessments referred to the Council for confirmation and adoption.

SEC. 23. He shall without delay present to the Mayor for his approval every ordinance or resolution passed by the Council duly certified, and as soon as practicable after final action shall be had in the passage of any special ordinance or resolution, notify the department or officer of the City to whom such ordinance or resolution may refer of the passage of the same, and he shall deliver to all committees such resolutions and communications as may be referred to them by the Council.

He shall issue notices to the respective members of the different committees of the Council and to all persons whose attendance may be required upon such committee, when requested so to do by the Chairman thereof, to be served by the sergeant-at-arms of the Council.

SEC. 24. He shall enter in a book to be provided

for that purpose the names of all persons from whom he may receive moneys for the City, the time when received, the amount so received, and the object thereof, and shall render a faithful and distinct account of all such moneys to the Council, at their next stated meeting after receiving the same; which moneys he shall pay over to the City Treasurer immediately upon receiving the same, taking his receipt therefor.

SEC. 25. He shall attend the meetings of the Commissioners of Appeals in cases of taxation, shall keep correct records of the proceedings thereof, and file the same in his office; he shall also file in his office all affidavits presented to the said Commissioners of Appeals. He shall report to the Council at their first stated meeting after the said Commissioners shall have finished their duties a statement of all taxes diminished or increased, by them, showing the name of each person against whom such increase or diminution shall have been made, together with each separate amount so increased or diminished.

CHAPTER IV.

RELATING TO THE ASSISTANT CITY CLERKS.

SEC. 26 The Common Council shall appoint by resolution two Assistant City Clerks whose duty it shall be to assist the City Clerk in the conduct of his office, and who shall be under the direction and control of the City Clerk in the management and control of said office; they shall attend the Council and committee meetings and meetings of such boards and commissions as they may be directed to attend by the City Clerk or by the Chairman of the Common Council.

CHAPTER V.

RELATING TO THE COMPTROLLER.

SEC. 27. There shall be appointed by the Council

a competent person who shall be known as the Comptroller of the City of Hoboken. The said Comptroller before entering upon the duties of his office shall take and subscribe before any officer authorized to administer oaths and affirmations, in this State, an oath or affirmation faithfully to execute the duties of his office to the best of his knowledge, skill and ability.

SEC. 28. It shall be the duty of the said Comptroller to sign all warrants on the City Treasurer; to superintend all fiscal concerns of the City, and to report thereon at the first regular meeting of the Council in each and every month. He shall also keep accounts of all appropriations made to each and every department of the City government, and to require all warrants on the Treasury to state particularly against which appropriation the said warrant is drawn.

SEC. 29. He shall upon receiving a bill or warrant examine the same and if it be for any purpose for which there is no appropriation, or appropriation for which is exhausted, or to which for any other cause he can not give his approval, he shall report the fact to the Council, and the warrant in such case shall not be signed except by special authority or direction of the Council.

SEC. 30. He shall upon the death, resignation, removal or expiration of the term of office of any officer or person who by law may be authorized to receive or disburse moneys of the City, and as often as the Council by resolution may require, to audit and examine the accounts of said officer or person and report the condition of his business to the Council.

SEC. 31. He shall before the payment of any claim against the City to first audit the bill containing or making up said claim with a view to ascertaining whether the supplies charged to the City or services alleged to have been rendered, have been furnished and rendered as stated, and whether the sum or sums demanded therefor are proper, and after so auditing shall return said bill to the department having control of the

appropriation against which said claim is made and against which appropriation the warrant is to be drawn.

SEC. 32. He shall as often as he may deem necessary, or as the Council shall require, suggest plans to the Council, for the improvement, advantage and better management of the City finances; and he shall have control of the fiscal concerns of all the departments, bureaus and officers, a full exhibit of their business and a statement in writing of any and all moneys or property of the said City within the control or in the hands of the said departments, bureaus and officers.

SEC. 33. He shall in case of any default, delinquency or official misconduct, to immediately report the same to the Council, and in order that he may fulfill his duties and make complete audits of accounts, he shall have power whenever he may see fit to examine all books, papers and vouchers pertaining to any and all departments of the City's business, and shall have free and unrestrained access to them for the purpose aforesaid.

SEC. 34. He shall whenever in his judgment the interest of the City shall require, to examine under oath any person presenting a bill of claim against the City for the payment of moneys, and also to examine witnesses and to investigate by other evidence and inquiry all the facts relating to said claim, which, in his opinion, are necessary to establish the accuracy and good faith of said claim, and to ascertain the City's liability therefor.

SEC. 35. He shall keep a regular set of books by double entry in which shall be open and kept as many accounts, under appropriate titles as may be necessary to show distinctly and separately all the receipts and expenditures of the corporation, and all debts due it from others and all record debts, and shall keep said books promptly written and posted up, which books shall at all times be open for inspection by the Mayor and each member of the Council or any citizen of Hoboken.

SEC. 36. He shall keep and file in his office all

deeds, leases and mortgages and assurances of title and all evidences of debt contracts, bonds of indemnity, and all official bonds, except such as the Council shall direct to be deposited elsewhere.

SEC. 37. He shall obtain from the City Treasurer as soon after payment or cancellation as convenient, all bonds, and interest, payments on same, improvement certificates and coupons, for the purpose of keeping a correct record of the same.

SEC. 38. He shall countersign all receipts for money paid into any City department or to any officer of the City, and no receipt or voucher for money paid to the City or of any of its departments of officers shall be considered sufficient or binding upon the City until signed by the officer receiving such money and countersigned by said Comptroller, who shall thereupon enter upon his book for that purpose the date, of said receipt, the name of the person paying said money, the amount thereof, the officer to whom paid, and the purpose for which the same was paid.

SEC. 39. He shall examine and adjust all accounts whatsoever that may be referred to him by the Council or any committee of the Council, in which the City shall be concerned either as creditor or debtor, and shall report to the Council as soon as convenient thereafter, the facts relating thereto, with his opinion when required.

SEC. 40. He shall countersign all certificates, warrants and bonds drawn on the Treasury and signed by the Mayor and Clerk if considered correct and charge them under their appropriate heads.

SEC. 41. He shall supervise the fiscal concern of all departments and officers of the City, and for that purpose shall have full and complete access to all books, papers, documents and records in every department or office, and may require at any time from such departments or officers an account in writing of all moneys and property of the City in their possession or under their

control and shall also apportion to the different funds all moneys collected by the Collector of Revenue and by said Collector paid to the City Treasurer.

SEC. 42. He shall report to the Council immediately upon discovery any default, shortage or delinquency in any of the departments or offices in respect to the matters mentioned in the preceding section.

SEC. 43. He shall compare quarterly the accounts of the Treasurer and all City officers with the vouchers to the same, with the books of his department, and report the result of such comparison with such information as may be proper to the Council at its next meeting thereafter.

SEC. 44. He shall report to the Council within thirty days after its organization in each year a statement of all contracts (excepting street and sewer contracts) made by the City, and not performed or completed, or upon which any moneys may remain unpaid, with the amount remaining unpaid on each.

SEC. 45. He shall advise the Council from time to time as to the condition of all accounts for which appropriations have been made, and accompanying such statement with an account of the moneys which have been drawn on said appropriations, the purpose for which they were drawn and applied, and the cause of any deficiency should it exist, and an estimate of the amount necessary to complete the object of the appropriation.

SEC. 46. He shall compile for publication in pamphlet form within thirty days at least from the first Monday in May in each year, for the information of the citizens of Hoboken, a full and detailed statement showing:

1. The receipts and expenditures of the corporation during the preceding fiscal year, the different sources of the City revenue, and the amount received from each source.
2. The several appropriations made by the Tax Commissioners, the object for which they were made, and the amount

expended out of each appropriation.

3. The amount of City debt both funded and temporary, with the rate of interest payable in each case.

SEC. 47. The office hours of the Comptroller shall be from nine o'clock in the morning until twelve o'clock m. and from one o'clock to four o'clock p. m., but from the tenth day of December until the twentieth day thereof and on such other occasions as the Council may direct, his office hours shall be so co-extensive with those of the Collector of Revenue.

SEC. 48. He shall examine and countersign all receipts for water rents or arrears of water rents given to any person paying on the same by the Water Registrar of the City, and countersign all such receipts and keep a correct and complete record of such payments in a book or books to be provided for the purpose.

SEC. 49. That no receipt given by said Water Registrar or his Assistant shall be valid or binding as between the City and the person paying unless such receipt be presented to the City Comptroller and countersigned by him as aforesaid.

SEC. 50. That it shall be the duty of said Comptroller to examine the books and accounts of the Water Registrar and Treasurer of the Board of Water Commissioners at least once a year or oftener if deemed necessary.

SEC. 51. He shall also examine the books and accounts of the Secretary of the Trustees of the Hoboken Cemetery once every three months.

CHAPTER VI.

RELATING TO THE CITY TREASURER.

SEC. 52. He shall receive, safely keep and disburse, under the direction of the Council, which direction shall be manifested by resolution of the Common Council duly approved by the Mayor, all moneys belonging to the City; he shall keep an accurate account of all receipts and pay-

ments and make return thereof to the Council at their first regular meeting in each month, and shall receive such compensation for his services as shall be fixed by the ordinance providing for the payment of salaries.

SEC. 53. He shall keep a cash book in which he shall enter under the appropriate heads an accurate account of all receipts and expenditures and shall furnish for the use of the Council and Finance Committee a duplicate of the same on the first meeting of each month.

SEC. 54. No money shall be paid out of the treasury except on warrants signed by the Mayor and City Clerk.

SEC. 55. He shall keep a check book on the bank or banks in which the City deposits are made, and on the margin of said book opposite each check that shall be drawn, the amount drawn, and for what purpose, and shall furnish the Council at the first meeting of each month with the bank and check books belonging to the City or his department, with the exact balance in bank noted on the margin of the check book, together with the amount of cash on hand.

SEC. 56. He shall pay with his official check to the order of the person in whose favor it shall be drawn, all warrants on the treasury.

SEC. 57. He shall make a full, true and accurate account of all moneys raised by tax alone for the use of the City since the last annual election, and of the application and expenditure of the same, and deliver said account to the Council not more than thirty nor less than twenty days before the charter election to be filed in the City Clerk's office, and published in the corporation paper prior to said election, and on rendering said account he shall deliver over his vouchers for the same to the City Clerk.

SEC. 58. He shall receive the redemption money for the sale of property sold for taxes and assessments, on the clerk's certificate of the amount to be paid, countersigned by the City Clerk.

SEC. 59. He shall keep in his office a book known as the ledger in which he shall open an account with every

appropriation or fund, in favor of which he shall receive any money, and immediately upon payment of the amount of any warrant of improvement certificate he shall charge the same to the appropriation or fund on which it is drawn, with the number of the warrant or certificate, the date, to whose order it is drawn, and the amount of the same. He shall report to the City Clerk at the end of each month all interest paid by him upon any warrant or certificate, stating therein to what particular fund the same should be charged.

SEC. 60. He shall at the end of every three months from the first Monday in May make out and present to the Council at its first regular meeting thereafter, a full and detailed report of all the receipts and disbursements of the treasury during the quarter. Such report shall contain particularly the names of all persons from whom moneys have been received by him, the time when received, the amount so received, and for what purpose, or on what accounts the several amounts received by him were paid respectively, and such other particulars as may be necessary to complete the said report.

SEC. 61. If any officer or employe of the City or other person shall neglect to report or pay over to the City Treasurer any moneys belonging to the City as required by the charter and ordinances of the City or otherwise, it shall be the duty of the City Treasurer to report the same to the Council without delay.

SEC. 62. He shall keep open his office at the City Hall in said City, and to attend therein from ten o'clock in the forenoon to twelve o'clock noon, and from one o'clock in the afternoon to four o'clock in the afternoon of each and every day of the week except Sundays and legal holidays.

SEC. 63. He shall deposit daily all moneys received by him in such depository as the Mayor and Council may designate in the name of and to the credit of "The Treasurer of the City of Hoboken," and not otherwise.

SEC. 64. That he shall report to the Council at each regular session of the same the condition of each fund,

and once in every month the amount of cash balance on hand or in bank, in each fund.

SEC. 65. He shall pay out and disburse whenever ordered so to do by the Common Council by a proper resolution, duly approved by the Mayor upon a warrant or draft properly drawn upon him by the City Clerk, in accordance with such resolution of the Common Council, such sum or sums of money as may be directed by such resolution.

CHAPTER VII.

RELATING TO THE COLLECTOR OF REVENUE.

SEC. 66. He shall receive from the Commissioners of Assessment of Taxes the transcript or duplicate of the assessment within ten days after the same shall be made out according to law and the ordinance of the Mayor and Council, and he shall annually on or before the first day of November in each year give notice by advertisement, to be published in the same paper in which the proceedings of the Council are published, for at least one week, and to be set up in at least four of the most public places in the City of Hoboken of the said tax, and that if it be not paid on or before the twentieth day of December the names of delinquents and unpaid taxes will be returned to the City Clerk, to be by him laid before the Council at their next meeting thereafter.

SEC. 67. He shall within sixty days after the receipt of the transcript or duplicate of the said assessment demand payment of the tax or sum assessed on each individual in the City, in person or by notice left at his or her place of residence, and also at the same time give notice of the time and place of the meeting of the Commissioners of Appeal.

SEC. 68. He shall be required to make out two returns of delinquent taxpayers, one of which shall be called a duplicate, which shall be filed by the City Clerk in his office; said returns to be entered in books properly

bound and ruled, which books and the statements therein contained shall be verified by the oath or affirmation of said Collector of Revenue.

SEC. 69. He shall receive the book of delinquent taxpayers when ordered to be returned to him by the Council, and to proceed to collect the same according to law.

SEC. 70. That whenever he pays over to the City Treasurer any moneys it shall be his duty to deliver to said Treasurer a statement showing the fund or appropriation to which the said moneys should be credited. He shall also on the first Monday of each month deliver to the City Clerk a certified statement of all moneys belonging to the City, the County of Hudson or the State of New Jersey, received by him during the preceding month, which statement shall contain the amount so received, and the respective funds to which the same shall be credited.

SEC. 71. He shall keep a cash book containing the amounts collected, from whom received, the date of the receipts, the number of each bill paid, where the party resides. the various purposes for which said taxes were assessed, and the amount of each item, the amount deducted by the Commissioner of Appeal in cases of taxation; the statement for each ward shall be kept separate from the others in said book, and said Collector shall add together the sums contained in each column and place such aggregate sum at the foot of each column through every page. He shall keep a delinquent book which shall contain the names of the delinquents, their residence, the number of their bills, and the amounts thereof, and the amount deducted by the Commissioners of Appeal. The delinquents in each ward shall be placed together and kept separate from those in the other wards, and the said Collector shall add together the sums contained in each column through every page.

SEC. 72. He shall as soon as he receives the Commissioners of Assessment of Taxes books ascertain from the City Clerk the several deductions and alterations made

in the assessment by the Commissioners of Appeal in cases of taxation, and shall note the same on the Commissioners of Assessment of Taxes books in the proper column opposite each bill, and he shall also add together the amounts in each column of taxes paid in arrear, and also the deductions made by the Commissioners of Appeals and place the same at the foot of each column in the Commissioners of Assessment of Taxes books.

SEC. 73. He shall, whenever a tax bill is paid, mark upon it when the same is paid.

SEC. 74. He shall receive from the Council the list and account of the unpaid water rents, and proceed to collect the same according to law; and he shall charge interest thereon at the rate of six per cent. per annum, from the twentieth day of December next preceding the time the same comes to his hands, and also five per centum for collections, and the amount of such arrears of water rent and interest thereon, when collected, he shall pay forthwith to the treasurer of the Board of Water Commissioners and shall take a voucher for the payment thereof, which he shall forthwith exhibit to the City Clerk, and shall at the same time leave with the City Clerk a duplicate thereof to be filed, and the said five per centum for collection, when collected by the Collector of Revenue, he shall pay over to the City Treasurer to be placed to the salary or contingent fund.

SEC. 75. He shall on the first day of May succeeding the time when the certified list of the water rents and penalties remaining unpaid shall have been delivered to him, to make out and deliver to the City Clerk a certified copy of all water rents and penalties remaining unpaid at that date.

SEC. 76. He shall be further charged with the duty of collecting all assessments which may be made and duly confirmed by the Council, according to the provisions of the City Charter, opening, altering, widening, filling up, grading, altering the grade of, refilling, guttering, flagging and paving streets, filling sunken lots, and for all and every public improvement made in the manner

provided by law.

SEC. 77. That immediately after any assessment is confirmed by the Mayor and Council the said assessment shall be placed by the City Clerk in the hands of the said Collector of Revenue, who shall forthwith demand the payment of the sums due thereon from the persons who are by law required to pay the same, and shall open an account with the same in books to be provided for that purpose, he shall also prepare a condensed recapitulation of the same and caused to be transcribed into a book to be called "The Record of Assessment," containing the name of the street on which each lot is situated, with the street and assessment, number of each lot, the name of the person to whom it is assessed, the dimensions of each lot, the amount of assessment to each lot, and the total thereof, and the time of confirmation; said book shall also contain marginal blanks opposite each name for date of payment of principal and interest to be filled in when collected; he shall within sixty days from the date of receiving the said assessment cause a duplicate of the said condensed recapitulation to be made containing the amounts which he may have received, together with the name of the delinquents and the amounts due from them respectively, to which shall be attached an affidavit that the items therein named are true, and that payment thereof had been duly demanded as hereinbefore directed, and deliver the same to the City Clerk. All moneys by him collected on any assessment so placed in his hands shall be paid over by him to the City Treasurer.

SEC. 78. He shall, in case any assessment named in the preceding section of this ordinance shall remain unpaid for thirty days after confirmation thereof by the Council, and the parties owing the same shall be willing to make payment thereof at any time before the real estate shall be advertised for sale, to collect in addition to the amount of such assessment interest to be computed at the rate of twelve per centum per annum, from the time of confirmation of such assessment until the same be paid.

SEC. 79. He shall prepare lists of arrearages of taxes, assessments for opening or improving streets, assessments for sewers and water rents, for advertisements in the corporation newspaper of the sales of real estate, and also to prepare the schedule necessary to a sale of any of the lands, tenements and real estate of any of the delinquents, and place the same in the hands of the City Clerk at least three days before the time appointed for sale, and that the said list in this section first above named shall contain an accurate description of such lands, tenements and real estate as the same are assessed to each of the owners thereof, with the name of the person to whom it is assessed, and the name of the reputed owner, the number of the lot and block, the name of the street on which said lots front or along which the same may extend, the size of the lot and the amount of tax assessment or water rent for which the same may be ordered sold.

SEC. 80. That in case all the amounts shall not be paid on any assessment for taxes, assessments for improvements, services, or water rents above mentioned, and the same shall be advertised as the City Charter requires, he is authorized to collect the unpaid assessments on the property advertised, by adding interest at the rate of twelve per centum per annum, and costs incurred, and to enter such correction in the records of assessments in the manner provided by this ordinance until within six days of every such sale.

SEC. 81. He shall in addition to the requirements hereinbefore set forth answer and obey all and singular the direction of any resolution of the Mayor and Council to him directed in relation to the revenue of the City, or papers or copies of papers which may be or remain in his custody.

SEC. 82. He shall occupy such office for the transaction of his business as may be from time to time assigned to him by the Mayor and Council, and his said office shall be kept open from ten o'clock to twelve o'clock in the forenoon and from two o'clock to four

o'clock in the afternoon of each day, Sundays and legal holidays excepted, during which time he shall attend and transact the duties pertaining to his said office; provided the last mentioned clause shall not be held to apply to the month of November, during which time he shall be engaged serving notices as required by the sixty-seventh section of this ordinance; and provided further that from the tenth day of December to the twentieth day of the same month in every year his said office shall be kept open from nine o'clock in the morning until nine o'clock in the evening of each day, to receive such moneys as may be offered in payment of taxes.

SEC. 83. That for neglect or failure or refusal to perform any of the duties imposed upon him by this ordinance he shall forfeit and pay a penalty of fifty dollars for each and every neglect, failure or refusal.

SEC. 84. He shall at least once every week and as much oftener as may be necessary to comply with the seventy-third section of this ordinance, pay over all moneys by him collected to the officer entitled to receive the same.

SEC. 85. He shall keep a daily cash book to be provided for that purpose in which he shall enter all moneys received by him, together with the names of the persons claiming the same, and a description of the property, and whether the same had been paid on account of taxes, water rents and assessments, and also all disbursements by him, and to whom the same may have been made, which said book shall be balanced daily and open to public inspection.

SEC. 86. He shall receive for his services, as hereinbefore provided, the sum of twenty-five hundred dollars, and the sum of five per centum on all poll tax and personal taxes collected by him after the twentieth day of December in each and every year.

CHAPTER VIII.

RELATING TO THE CORPORATION ATTORNEY.

SEC. 87. The Corporation Attorney shall have the charge of and conduct the law business of the corporation, and all other business in which the City shall be interested, when so ordered by the Council, and shall have the charge of and conduct the legal proceedings necessary in opening, widening or altering streets, and draw the leases, deeds, contracts and other papers connected with the affairs of the City.

SEC. 88. He shall from time to time, when required, advise the Mayor and Council and their committees and officers respectively, upon all matters which may be submitted to him for his opinion.

SEC. 89. He shall draw such ordinances as may be required of him by the Council or any committee thereof.

SEC. 90. He shall, when required by the Council, prepare the draft of any bill to be presented by the Corporation of the City to the Legislature for passage, with a proper memorial for the passage thereof.

SEC. 91. He shall prosecute and defend, as the Attorney and Counsel of the Corporation, all actions which may be brought by or against it, or any officer thereof, for or by reason of any matter or duty connected with or growing out of their respective offices, or in which the Corporation is interested in any court in this State, including actions for violations of the ordinances of the Council or arising under the Charter of the City or under the laws of this State in which the City is interested.

SEC. 92. He shall, on the first regular meeting of the Council in the months of November and May in each year, report to the Council the titles of all actions in his hands, prosecuted or defended by him and then pending and undetermined, with such other information in respect thereto as he may deem necessary or proper.

SEC. 93. The salary to be paid to the Attorney to the Corporation, as heretofore mentioned, shall be a full

compensation as between him and the Corporation for all the service he may be required to render by this ordinance; he shall, nevertheless, be entitled to receive the taxable costs in all actions and proceedings which may be conducted, prosecuted or defended by him as such Attorney.

SEC. 94. Upon the expiration of his term of office, or his resignation thereof, or removal therefrom, the Attorney to the Corporation shall forthwith on demand deliver to his successor in office all deeds, leases, contracts and other papers in his hands belonging to the Corporation or any of its officers and all papers in actions prosecuted or defended by him then pending and undetermined, together with his register thereof, and the proceedings therein, and written consent of substitution of his successor in all such actions then pending and undetermined.

SEC. 95. In all actions which he is required to prosecute he shall appear as the Attorney and Counsel to the Corporation.

SEC. 96. He shall institute an action in any of the cases in this ordinance mentioned when instructed to do so by the Council or any committee thereof, or upon the complaint of any other person, when in his judgment the public interest requires that the same should be prosecuted.

SEC. 97. He shall be furnished by the City with the suitable docket or dockets in which he shall keep a register of all actions prosecuted or defended by him of proceedings had thereon. The said docket or dockets shall be and remain the property of the City.

SEC. 98. The City Counsel is authorized to employ such additional counsel to aid in the trial or argument of such cases or proceedings of importance in which the City may be a party or be interested, and shall be approved by the Committee on Finance of the Common Council.

SEC. 99. He may compromise, with the advice and consent of the Mayor and of the Committee on Finance

of the Common Council, with the party complained of, either before or after an action shall have been brought for any violation of the City ordinances where the penalty does not exceed twenty-five dollars and where in their judgment the public interest does not require that an action should be prosecuted therefor.

SEC. 100. He shall not bring an appeal in any action in which judgment shall have been given against the Corporation except by direction of the Council.

SEC. 101. He shall, on the first Monday in the months of November and May in each year, report to the Treasurer a statement under oath of the actions instituted by him and settled before judgment, of the complaints compromised by him in which no action shall have been commenced, and of all actions prosecuted to judgment with the result thereof, whether for or against the Corporation, and if so, whether it has been collected, and shall include therein a particular account, item by item, of all penalties or other moneys which he may have received for the Corporation, and from whom they are received respectively, and on what account, and when paid, he shall also state therein, item by item, an account of officers' or court fees paid by him and on what account and when they were respectively paid, and shall exhibit at the foot of the account the balance thereof, whether for or against the Corporation.

SEC. 102. If the account shall exhibit a balance in his hands in favor of the Corporation, he shall forthwith pay over such balance to the Treasurer and shall thereupon receive from the said Treasurer a voucher for the payment thereof, which he shall forthwith exhibit to the City Clerk, and shall at the same time leave with him a copy thereof.

SEC. 103. If the account exhibit a balance against the Corporation the Council, upon being satisfied of the correctness thereof, shall certify the same, which shall authorize a warrant to be drawn, according to the form of the Charter, for the amount of such balance.

SEC. 104. Every officer employed by the Corporation

Attorney to serve process in an action brought by him in the name of the Corporation, shall pay to the Corporation Attorney all moneys which he may receive, both for penalties and costs upon judgment, and he shall at least once in every month, pay every officer so employed by him his legal fees and costs.

CHAPTER IX.

RELATING TO CITY SURVEYORS.

SEC. 106. That the Mayor and Council of said City shall by resolution appoint so many City Surveyors, as the Council shall from time to time deem necessary.

SEC. 107. That one of said City Surveyors shall be selected by the Council after his appointment and be designated as Street Surveyor, whose duty it shall be in addition to the duties hereinafter enumerated to be performed by the City Surveyors, to examine the site of every building about to be erected within the limits of the City of Hoboken, when requested so to do by the owner or builder thereof, and to locate and mark the street line, and also to ascertain and mark the grade of the street line in front of the lot on which such building is about to be erected, and to give such owner or builder a certificate in writing that such lines are the street lines and grade lines of the said lot and said street, of which certificate or record shall be made and kept in the office of said Surveyor, which record shall be open to the inspection of any City officer for which service the said Surveyor shall be entitled to charge and receive a fee of five dollars to be paid by the person at whose request said services were performed.

SEC. 108. That if any building which was not before located by the Street Surveyor shall project into the street beyond the line or range of the street or avenue whereon the same may front or be bounded, it shall be the duty of the Street Surveyor, by resolution of the Council, to notify the owner or builder thereof to cause

the said building to be removed to the line or range of such street or avenue within six months after service of such notice, and in case the directions of said notice shall remain uncomplied with the owner or builder shall jointly or severally forfeit and pay the sum of twenty dollars, and a further penalty of five dollars for every twenty-four hours during which after the first conviction such directions shall remain uncomplied with.

SEC. 109. It shall be the duty of such of the City Surveyors as may be requested by the appropriate committee of the Council to find and work out the line or lines of all avenues, streets, lanes, alleys, wharves and piers, and public lands or parks, and the proper grades, to fix monuments for such lines and grades, find and make the lines of all improvements to be made, and perform such other duties as may be required of them, and suggest to the Commissioners of Assessments such matters as they may deem advisable in any of said improvements and aid them on all such occasions with their professional knowledge or skill.

SEC. 110. It shall be the duty of one of the City Surveyors, who shall be designated by the Council for that purpose, to superintend any street improvements; in such case he shall first make a profile map of the centre line of such street, showing the actual grade or surface line of the street, as it is at the time of making such survey, and also showing the true established grade line to which the street is to be brought, and he shall also estimate the approximate amount of excavation and filling necessary for each improvement, and enter the same in figures on said map, which said profile maps shall be filed in the City Clerk's office before advertising the proposal of contractors for such improvement, and the said profile maps shall be a public record.

SEC. 111. The said Surveyor shall make an accurate cross-section in front of every lot, the elevations to be taken at every irregularity of the ground, and he shall make full and complete notes, memoranda, etc., thereof, which said notes and memoranda shall be filed with the

profile map in the office of the Clerk of the City, and at the same time, and shall be in a like manner a public record.

SEC. 112. He shall draw specifications stating fully the manner in which the work shall be done, and the quality of the materials to be used in and for such improvements, and file the same in the City Clerk's office at the same time of filing the profile map mentioned in Section 110, which shall also be a public record.

SEC. 113. It shall be the duty of the City Surveyor superintending any street improvement at the request of the proper committee or inspector of such work, to ascertain and mark with stakes all lines and grades necessary to be known in order to carry on and complete said improvement according to specification and contract, and furnish to the contractor or contractors a true copy of the specifications for such work on each improvement or contract.

SEC. 114. That the fees of the City Surveyors for any labors performed within the limits of said City shall be as follows, that is to say: For surveying land, running lines, grades, etc., per day of ten hours for Surveyor or Engineer with instruments, nine dollars; for first assistant, three dollars and fifty cents; for each additional assistant, two dollars and fifty cents; for draughtsman, five dollars. For locating lots in Hoboken: For one lot, seven dollars; for two lots adjoining each other, ten dollars; for three lots adjoining each other, twelve dollars; for four lots adjoining each other, fifteen dollars; for each additional adjoining lot, one dollar; for giving grade for one lot, five dollars; for giving grade for two lots, six dollars; for giving grade for three lots, seven dollars; for giving grade to four lots, eight dollars; for each additional adjoining lot, fifty cents; for giving grade at the time of locating, one dollar per lot up to four lots and fifty cents for each additional or adjoining lot. The preliminary and final survey in the filling of sunken lots, setting stakes, giving grades and estimate of the amount of filling required: For the first lot, ten dollars; for each

additional lot, five dollars and fifty cents.

SEC. 115. For all public work or improvements the City Surveyor's fees shall be at the following rates, viz: On all improvements, the cost not exceeding ten thousand dollars, four per cent.; on the cost over ten thousand dollars and not exceeding fifteen thousand dollars, three and one-half per cent.; on the cost over fifteen thousand dollars and not exceeding twenty thousand dollars, three per cent.; on the amount or cost exceeding twenty thousand dollars, two per cent.

SEC. 116. After any improvement is completed the Surveyor in charge shall run a test level over the curb to ascertain if the said curb and other parts of the improvement have been brought to a proper grade, and shall measure up on the ground all curb, gutter, flagging, paving, bridge-stone, etc., used in front of each lot and at the intersection of streets on the line of said improvements, and he shall make full and complete memoranda of the same, and shall file the same with the City Clerk, and such memoranda shall be a public record.

SEC. 117. That any forfeiture or penalty arising under this ordinance may be recovered before the Recorder of this City in the manner provided by the City Charter for other trials for breach of ordinance and the recovery and forfeiture or penalties, and the penalties so recovered shall be paid into the City treasury.

CHAPTER X.

RELATING TO CITY PHYSICIAN AND ASSISTANT CITY PHYSICIAN.

SEC. 118. That there shall be appointed by the Common Council of the City of Hoboken an officer to be called the City Physician, and another officer to be known as the Assistant City Physician, who shall be resident citizens in regular practice within the limits of the City of Hoboken at the time of their appointment.

SEC. 119. The said City Physician and the Assistant City Physician shall be under the immediate jurisdiction and direction of the Committee on Alms of the Council, and said officers shall render all necessary professional aid and skill to all indigent persons and paupers residing in the City of Hoboken, as may call upon them for that purpose, or such as the Overseer of the Poor, under the direction of the Committee on Alms, may direct. The respective duties of the City Physician and Assistant City Physician and their particular departments or professional service to the City shall be outlined by and under the direction of said Committee on Alms.

SEC. 120. When the said Physician shall be called upon to attend indigent persons and shall deem it necessary to have such person or persons removed to the poor house or hospital or such other place as may be established by law for the reception of paupers, the said Physician or either of them shall notify the Overseer of the Poor in writing, stating the reason for such removal, and the Overseer of the Poor shall immediately investigate the case, and if found necessary, with the approval of the Committee on Alms, they shall cause such indigent person to be removed to the poor house, hospital or other place established by law for the reception of paupers.

SEC. 121. It shall be the duty of the said City Physician and Assistant City Physician to render to the Common Council, quarterly, at the first meeting of the Common Council in the months of May, August, November and February in each year, a statement containing the name, age, condition, married or single, residence, nativity, whether citizen or alien, disease, and termination of the disease of each pauper or indigent person attended during the preceding last quarter.

SEC. 122. It shall be the duty of the said Physician to attend the meeting of the Committee on Alms whenever notified to attend by the chairman of said committee, and to render to said committee such information and assistance as may be required.

SEC. 123. The City Physician and the Assistant City

Physician may be removed for mal-practice and neglect of duty or for any just cause after notice and hearing according to law, and shall hold office from the first Monday in May after their appointment until their successors shall be appointed and sworn into office, unless sooner removed.

CHAPTER XI.

RELATING TO LICENSE INSPECTOR.

SEC. 124. There shall be appointed by the Council a competent person who shall be known as the "License Inspector," who shall hold office for the term of three years after his appointment.

SEC. 125. It shall be the duty of said License Inspector to ascertain the number of licenses granted by the Council and actually in use, and report the same to the Mayor and Council at least once a year, together with the names of the licensees and the places licensed.

SEC. 126. It shall be the duty of the License Inspector, whenever necessary, to report to the Committee on Licenses of the Council, all licensed places that in his judgment are objectionable or disorderly, and the nature of the objection and disorder.

SEC. 127. It shall be the duty of the said License Inspector to investigate all applications for licenses referred to him by the Council or the Committee on Licenses of the Council, and report the result of his investigation at the next meeting of the Council.

CHAPTER XII.

RELATING TO THE STREET COMMISSIONER.

SEC. 128. The Street Commissioner shall have supervision over all the streets, avenues, roads, highways, public lanes and alleys, public parks and squares, sewers and drains, bridges, wharves, docks and slips, and public

places of the City, and repairs thereto, and, under the instruction of the City Surveyor, of the improvement made under and by virtue of any ordinance of the City, or by any order of the Common Council, or of any authorized committee thereof.

SEC. 129. He shall have power to remove, or cause to be removed, any obstructions or incumbrances from all the streets, avenues, roads, highways, public lanes and alleys, public parks and squares, bridges, wharves and public places of the City. He shall report and make complaint of the person causing any such obstruction or incumbrance to the Recorder of the City of Hoboken.

SEC. 130. He shall have power to grant permits to builders and others to occupy not to exceed one-third of the width of the carriage way of any street or avenue with building material, if in his opinion the public interest and convenience will not suffer thereby. All such permits shall expressly provide that they are given upon condition that the sidewalks and gutters shall at all times be kept clear and unobstructed, and that all dirt and rubbish shall be promptly removed from time to time by the party obtaining such permit; and all such permits shall be revoked by him at pleasure.

SEC. 131. It shall be the duty of the Street Commissioner, by order of the Common Council and under the direction of the Committee on Streets, to cause the streets and highways to be properly cleaned from time to time, and to be kept in good repair; and to that end he shall report to the said committee or to the Common Council whenever in his opinion any action is necessary in relation thereto.

SEC. 132. It shall be his duty, by order of the Common Council and under the direction of the Committee on Sewers, to cause the public sewers and drains to be properly cleaned from time to time and to be kept in good repair; and to that end he shall regularly and carefully examine the same at least once in three months, and report the state and condition thereof to said committee or to the Common Council.

SEC. 133. It shall be his duty, by order of the Common Council and under the direction of the Committee on Public Grounds, to cause the public parks and squares and all other public grounds belonging to the Corporation, to be kept at all times in good and proper condition, and to superintend all necessary grading thereto, and the planting and the trimming of ornamental and shade trees thereon.

SEC. 134. He shall enter in suitable books to be kept in his office an account of all the expenditures of his department authorized as aforesaid, and of each separate branch for which distinct appropriations shall be made. He shall in no case incur any expense for any object for which an appropriation shall not have been made. He shall keep an accurate account in said books of the names of all persons employed by him, the work upon which they shall be engaged, the time during which they shall be employed, and the amount of wages severally paid to them, with the date of each payment.

SEC. 135. He shall examine the estimates for work done by contract prepared by the City Surveyor and duly certified by him, and approve the same prior to the presentation thereof to the Common Council.

SEC. 136. At the end of each month he shall make out and present to the Common Council at its first regular meeting thereafter, a full and true account of all moneys belonging to the City received and paid out by him during the month, showing particularly the amount in his hands at the beginning of the month and the amount received by him from the City Treasurer during the month, the amount expended by him in the several branches of expenditure and the balance remaining in his hands at the end of the month; said report and the cash book of the said Commissioner shall be presented to the Comptroller for examination and verification before the said report is presented to the Common Council.

SEC. 137. He shall keep, in his office a complaint book, wherein shall be entered all matters of complaint made to him at his office aforesaid, relating to the condi-

tion of the streets, avenues, roads, highways, public lanes and alleys, public parks and squares, sewers and drains, and public places of the City. He shall ascertain the facts in relation to all such matters in complaint, and take such action thereon as may be necessary and proper in the faithful discharge of his official duties.

SEC. 138. It is hereby made the duty of the Street Commissioner whenever granting a permit for any excavation, opening or disturbance of the pavement of the carriage-way or any street, avenue, public place or alley in the said City of Hoboken, or sidewalk thereof, except in cases where such opening, excavation or disturbance shall be directly authorized by law, to require of the person or persons by whom or for whose benefit any excavation or opening is to be made, for any purpose whatever, a deposit of such sum of money as shall be deemed sufficient to cover and pay all the expenses on the part of the street department of furnishing such material, doing such work and taking such means as shall be required to properly restore and secure against sinkage the streets and sidewalks, pavements, curb and flagging necessary to be replaced in consequence of making such excavation, opening or disturbance, which deposit shall be a full discharge of all liability and claim against the person or persons making such deposit and payment for the work herein provided for and required of the street department. It is understood that the flagging over any excavation after they have once been replaced by the street department as specified in this ordinance, are hereafter to be kept in repair by the owner or occupant of the premises in front of which the excavation is made.

SEC. 139. Whenever any pavement, sidewalk, curb, or gutter in any street, avenue, public place or alley shall be taken up for the purpose of making an excavation or opening whatever, except in cases directly authorized by law, it shall be the duty of the Street Commissioner to restore such pavement, sidewalk, curb or gutter to its proper position, as soon after as is practicable, requiring

the person or persons by whom or for whose benefit the same is removed to deposit the material composing the super-structure without breaking or injuring the same, and in a manner which will occasion the least inconvenience to the public to fill in any excavation made, and to leave the same properly packed, rammed and prepared for the repaving or relaying required. And the said Street Commissioner is hereby authorized to establish such rules and regulations, under the direction of the Street Committee, as will be deemed necessary for the purpose of carrying out the provisions of this ordinance.

SEC. 140. That if any person or persons shall make any excavation in any street or public place in this City or shall take up or disturb any pavement, curb stone or flagging laid thereon or therein, without first obtaining a permit therefor as herein provided and without complying with the provisions of this ordinance, such person or persons for every such offense shall forfeit and pay the sum of fifty dollars, which shall be sued for and collected in the name of the City, and for its use, and when received shall be paid into the treasury of the City, and placed to the credit of the account of streets.

SEC. 141. All moneys received by the Street Commissioner for the purposes contained in this ordinance shall be deposited by the Street Commissioner with the City Treasurer and placed to the credit of the Street Department.

SEC. 142. The Street Commissioner shall keep and preserve in his office a book of original entry or blotter, in which shall appear, day after day, a record of work in his department, giving the names and residences of the persons employed, the specific labor in which they are engaged, the number of hours employed and their rates of pay per day. From this book of original entry shall be drawn, each week, a pay-roll for each of the departments of public work, reciting the names and residences of the men employed, the period of service, the work on which engaged, rate of pay, and the total sum to be paid each person. Upon signing such pay-roll

the men to whom money is due shall each receive from the Street Commissioner an order upon the City Treasurer, in the following form:

No..... OFFICE OF THE.....19...

Hoboken, N. J.

To the Treasurer of the City of Hoboken:

Pay to the order of.....

the sum of.....Dollars, for services rendered.

And then shall follow a general statement of the time and character of the service rendered, which order shall be signed by the Street Commissioner. The stub or margin of the book from which the said order is taken shall present a copy or summary thereof, and shall be kept and preserved in the office of the Street Commissioner; upon presentation in writing of said order to the City Treasurer he shall cause payment thereof to be made directly to the person employed, and shall enter the number of the order, the name of the person presenting the same, and the amount paid, in a proper book provided for that purpose. At the next regular meeting of the Common Council thereafter held, the City Treasurer shall present to the proper Committees, resolutions, with the said orders presented as vouchers (which thereafter shall be kept and preserved in his office), reimbursing him for such payments made. The Street Commissioner shall also enter, in a suitable book, an account with each man employed, and also with each work of public improvement done (except work done under contract), which book shall be preserved, and shall be open to the inspection of members of the City Government.

CHAPTER XIII.

RELATING TO INSPECTOR OF PUBLIC WORK.

SEC. 143. That whenever any Inspector of Public work shall be appointed by the Council, and when assigned to inspect the construction of any public work or improvement, to acquaint himself fully with the terms and conditions of the contract under which such public work or improvement is to be constructed, and he shall procure from the City Surveyor such plans and directions as will enable him to ascertain whether such work is being properly done; and if he shall discover that any part of the work is being done, or any materials furnished, otherwise than in accordance with the provisions of the contract, or the directions of the City Surveyor or Street Commissioner, he shall immediately notify them of the fact.

SEC. 144. It shall be the duty of every such inspector to be constantly on the work during working hours and to exert himself to prevent any accident or damage occurring through or by means of the work, or the placing of the materials thereof, and in all cases to be certain that proper guards and lights are placed to prevent accidents at night.

SEC. 145. Whenever any Inspector of Public Works shall be assigned to inspect the construction of any sewer, it shall be his duty to locate each spur or branch, and mark its exact distance from the centre of the last man-hole, and to keep a record of the same, such record to be made daily, and to be subject to the inspection of the City Surveyor at all times.

SEC. 146. Before any Inspector of Public Work shall enter upon the discharge of his duties as such, he shall write his full name and place of residence in a book provided for that purpose in the office of the Street Commissioner; and no such inspector shall do any work, or in any way aid or assist the contractor whose work he is assigned to inspect.

SEC. 147. It shall be the duty of every Inspector of Public works to keep an account of the time spent in the discharge of his duty, and to make a statement thereof, verified by oath to the Street Commissioner, at least once a week; and when the work under any contract shall be finished it shall be the duty of the inspector assigned to inspect the construction thereof, to turn over to the City Surveyor, all papers, records or notes in his possession relating to said work.

CHAPTER XIV.

RELATING TO THE LAYING AND MAINTAINING OF UNDERGROUND CONDUITS, CABLES, WIRES AND MAN-HOLES FOR USE FOR FURNISHING ELECTRIC CURRENT.

SEC. 148. That the Hudson Electric Light Company, its successors and assigns, be and it hereby is authorized and empowered to construct and maintain, for the uses and purposes of its electric business, a system of subways or underground conduits, including the necessary man-holes and street openings, beneath the surface of the streets, avenues and other highways of the City of Hoboken, to wit: Through Ferry street, from the river to the westerly boundary line of the City;

Through Newark street, from the river to the westerly boundary line of the City;

Through First street, from the river to the westerly boundary line of the City;

Through Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth and Fifteenth streets, inclusive, from the river to the westerly boundary line of the City;

Through River street, from Ferry street to Third street;

Through Hudson street, from Ferry street to Fourteenth street;

Through Washington street, from Ferry street to Fourteenth street;

Through Bloomfield street, from Ferry street to Fourteenth street;

Through Garden street, from Ferry street to Fourteenth street;

Through Park avenue, from Ferry street to Fourteenth street;

Through Willow avenue, from Ferry street to Fourteenth street;

Through Clinton street, from Ferry street to Fourteenth street;

Through Grand street, from Ferry street to Fourteenth street;

Through Adams street, from Ferry street to Fourteenth street;

Through Madison street, from Ferry street to Thirteenth street;

Through Jefferson street, from Ferry street to Thirteenth street;

Through Monroe street, from Ferry street to Thirteenth street;

Through Jackson street, from Ferry street to Tenth street;

Through Harrison street, from Ferry street to Seventh street.

Also the necessary poles, fixtures and supports for distributing its electrical conductors along, across and above the surface of the above named streets, avenues and other highways of said City, and in addition thereto, such other streets, avenues and other highways as may be required for the business of said company, including terminals at wharves or piers now owned or which may hereafter be owned by said City.

SEC. 149. The said man-holes shall be located beneath the surface of the streets, not less than 300 feet apart, at such points along the line of the subways or

underground conduits as may be necessary or convenient for placing and operating the electrical conductors which the said company may, from time to time, place in said subways or underground conduits, and shall be so constructed as not to interfere with the passage of the public over and along the said streets; and the said company shall restore any street or avenue which may be disturbed in the construction or maintenance of said subways or conduits and man-holes, to the condition in which it was at the commencement of the work thereon, and free from any cost or expense whatever to the City of Hoboken. And the said company and its servants and employees, in the laying of any wire or conduits, in excavating and replacing the earth in any street, alley or public place, and of the pavement thereon, shall be under the supervision of the Committee on Streets and Assessments. The conduits and subways shall be laid under the carriage-way of the several streets at least two feet below the surface of the same, and within fifteen feet of the curb line and at the greatest practicable distance from the outside of any water or gas pipes now laid down, and not nearer than three feet to any water or gas main, except in case where it shall be necessary that the said wires or conduits shall cross or intersect any such water or gas pipe. The earth removed in making any excavation shall be restored, and the pavement taken up shall be relaid by the said company in as good condition as the surrounding pavement, until such street, avenue or highway in each case shall be repaved by the City. No street, avenue, alley or public place shall be obstructed for a longer period than shall be necessary to execute the work for which the same is made. The cost of restoring the earth or otherwise arising from such excavations, and the laying of pavement and repairs thereto, caused by the opening of any such street, avenue, alley or public place, shall be paid by the said company, and said work shall be done under the supervision of the Committee on Streets and Assessments. The posts or poles of said company shall be placed within the curb

line and adjacent thereto, as shown by the official maps of said city and within eighteen inches of said line, at such points as may be indicated by the Committee on Streets and Assessments, not more than one hundred and fifty feet apart and not less than one hundred feet apart.

SEC. 150. That said company shall indemnify the City of Hoboken against, and assume all liability and damages which may at any time arise, come or occur to said City from any injury to persons or property from the doing of any work herein mentioned, or from the neglect of the company or its employees to comply with the provisions of any ordinance of the City relative to the use of streets or public places, especially as to the putting up of lights or barriers at or around excavations; and the acceptance by the company of this ordinance shall constitute an agreement by it to pay to the City of Hoboken any sum of money for which the City may become liable from or by reason of such injury and damage.

SEC. 151. That said company shall file with the City Clerk its acceptance of this ordinance within twenty days from the date when such ordinance shall take effect, and also a satisfactory bond with sureties, approved by the Mayor and Council, in the sum of five thousand (\$5,000) dollars, that it will faithfully comply with and perform all of the terms and conditions of this ordinance. That the said Hudson Electric Light Company shall provide, without cost or expense whatever to the City of Hoboken, sufficient space in said subways or underground conduits to accommodate the telegraph or telephone wires or conductors operated from time to time by the police, fire and other departments of the City of Hoboken, and provided, however, that such wires or electrical conductors shall not be used in such a manner as to interfere with the use of the wires or electrical conductors that said company may from time to time place in said subways or underground conduits.

CHAPTER XV.

RELATING TO THE CONSTRUCTION AND REPAIRING OF STREETS AND HIGHWAYS.

SEC. 152. That the several streets and public alleys in the City of Hoboken shall be known by the names mentioned and designated, respectively, on the maps of Hoboken made by Charles Loss and Daniel Ewen and Austin D. Ewen, excepting as follows, viz: "Philadelphia Post Road," which shall be hereafter known and called "Newark Avenue," and that the public alley running between Washington and Hudson streets shall be called "Court Street." That the most southerly street now open and leading to the ferry and running east and west, shall be known by the name of "Ferry Street." "Meadow Street" shall be known by the name of "Park Avenue," and "Willow Street" shall be known as "Willow Avenue."

SEC. 153. That "River Street" shall extend and run from Hudson Place on the south to a stone wall of Edwin A. Stevens on the north, until further opened by the owner or owners of the premises along the line thereof for public use, and shall not be less than sixty feet wide.

SEC. 154. That Hudson street shall extend and run from Ferry street on the south to the northerly boundary line of the City, and shall not be less than eighty feet wide at any point, and that no court yard on either side thereof shall extend into said street beyond the distance of eighteen feet.

SEC. 155. That Washington street shall extend from Ferry street on the south to the northerly boundary line of the City, and shall not be less than one hundred feet wide at any point, and that no court yard on either side thereof shall extend into said street beyond the distance of fifteen feet.

SEC. 156. That Bloomfield street and Garden street shall each extend and run from Ferry street on the south

to the northerly boundary line of the City, and shall each be not less than sixty-five feet wide at any point, and that no courtyard on either side of any of two said streets shall extend into the same beyond the distance of twelve feet in Bloomfield street, and eleven feet six inches in Garden street.

SEC. 157. That Park avenue and Willow avenue shall extend and run from Ferry street on the south to the northerly boundary line of the City, and shall each be not less than sixty-five feet wide at any point, and that no court yard on either side of any two said streets shall extend into the same beyond the distance of eleven feet six inches.

SEC. 158. That Clinton, Grand, Adams and Jefferson streets shall extend and run from Newark avenue to the northerly boundary line of the City, and shall not be less than sixty-five feet wide at any point, and that no court yard on either side thereof shall extend into the same beyond the distance of eleven feet six inches.

SEC. 159. That Madison, Monroe, Jackson, Harrison and Marshall streets shall extend and run from Newark avenue to the northerly boundary line of the City, and shall not be less than sixty-five feet wide at any point, and that no court yard on either side thereof shall extend into the same beyond the distance of eleven feet six inches.

SEC. 160. That Ferry, Newark, First, Second, Third, Fourth and Fifth streets shall each run and extend from River street to the westerly boundary line of the City; that each of the said streets mentioned in this section shall not be less at any point than fifty feet wide, and that no court yard on either side of any of said last mentioned streets shall extend into the same beyond a distance of six feet six inches.

SEC. 161. That Sixth street, Seventh street, Eighth street, Ninth street, Tenth street, Eleventh street, Twelfth street and Thirteenth street shall each run and extend from Hudson street to the westerly boundary line of the City.

SEC. 162. That Fourteenth, Fifteenth, Sixteenth, Seventeenth and Eighteenth streets shall each run and extend from the Hudson river to the westerly boundary line of the City.

SEC. 163. That Hudson Place shall extend from the Hudson river to Hudson street.

SEC. 164. All streets and highways in the City of Hoboken shall be graded, gravelled, paved, flagged, macadamized, or otherwise improved or regulated as the Common Council shall from time to time by special ordinance direct, in conformity with the provisions of the City Charter.

SEC. 165. Every street in the City of Hoboken which shall be graded, gravelled, paved, flagged, macadamized, or otherwise improved or regulated by special ordinance, as aforesaid, or in any manner whatsoever shall have the sidewalks or foot-paths thereof on each side of said street, levelled, graded, curbed, paved, flagged or gravelled, as prescribed by ordinance, and the middle or remaining part of every such street shall be and remain as a carriage way for public use, and shall have a gutter or kennel on each side thereof next adjoining the sidewalk or foot-path, and be arched in such manner as the City Surveyor in charge of such work shall direct.

SEC. 166. The grades of all streets and highways in the City of Hoboken shall be regulated and established from time to time by resolution of the Common Council, and a profile thereof with the regulations distinctly marked thereon shall be deposited and kept in the office of the City Surveyor.

SEC. 167. No ordinance shall hereafter be introduced or reported to the Common Council to provide for regulating grading, gravelling, paving, flagging, macadamizing or otherwise improving or regulating any street or section of a street, unless such ordinance shall be accompanied by a certificate in writing, signed by the City Surveyor in charge of the work, or by a majority of the Committee on Streets and Assessments, setting forth that a suitable and proper grade for such street or sec-

tion of a street, has been duly advertised by the Common Council.

SEC. 168. No sidewalk or foot-path in any street in the City of Hoboken heretofore constructed and made under the authority of the Common Council, or by resolution of any City officer, duly authorized to act in the premises, shall be altered in width so as to conform to the provisions of this ordinance, unless by special ordinance or direction of the Common Council.

SEC. 169. All curb stones which shall hereafter be laid for the purpose of supporting the sidewalks shall be not less than three feet in length, four inches thick and twenty inches wide throughout, and shall be of the best hard blue or grey granite, and to be cut prepared and laid in the following manner, that is to say: 'The top of the stone shall be cut to a bevel of one inch, the front to be cut smooth, and to a fair line to the depth of twelve inches; the ends from top to bottom be truly squared so as to form close and even joints; and the front so laid so as to present a fair and unbroken line, under a penalty of ten dollars for each and every violation of any of the provisions of this ordinance, to be forfeited and paid by the person or persons laying and fixing the same, and the owner or owners of the lot fronting on the sidewalk so fixed, severally and respectively. But provisions of this section may be modified by resolution of the Council, passed by two-third vote.

SEC. 170. All gutter stones which shall hereafter be laid in this City shall be not less than three feet in length, four inches thick and fourteen inches wide throughout, and shall be of the best hard blue or grey granite, and be cut to a fair and bevelled surface, without winding, with true and parallel sides, and the ends truly squared so as to form close and even joints, under the penalty of ten dollars for each and every violation of any of the provisions of this section, to be forfeited and paid by the person or persons laying and fixing the same, and the owners or owners of the lot fronting on the sidewalk or street, severally and respectively.

SEC. 171. All sidewalks in the City of Hoboken shall be raised from the curb stone to the proportion of five inches on ten feet, under the penalty of ten dollars, to be forfeited and paid by the person or persons laying and fixing the same, and the owner or owners of the lot fronting on the sidewalk or street severally and respectively.

SEC. 172. No sidewalk or any part of a sidewalk in any part of the City of Hoboken, shall hereafter be taken up or removed therefrom, for any purpose whatever, without the written permission of the Street Commissioner, under a penalty of twenty-five dollars for every such offense.

SEC. 173. All sidewalks in any street or section of a street in the City of Hoboken, whereof the said sidewalks have been levelled, graded and curbed, shall be paved or flagged to such width as the Common Council shall by resolution or by special ordinance direct, with square, oblong or flat stone of the best hard blue or grey granite hewn and laid closely together, and not with brick or round or paving stone, under penalty of twenty-five dollars, to be forfeited and paid by the owner or owners of the lot or lots in front of which such sidewalk shall be, severally and respectively. But the provisions of this section may be modified by resolution of Council passed by a two-thirds vote.

SEC. 174. All private cartways crossing any of the paved or flagged sidewalks in any street or section of a street in the City of Hoboken shall be paved or flagged to such width as the Common Council shall by resolution or by special ordinance direct for paving or flagging the sidewalks in such street or section of a street, with square, oblong or flat stone of blue or grey granite, and not with brick or with round or paving stones, and the remaining part of such cartway, crossing any paved or flagged sidewalk as aforesaid, shall be paved or flagged with square, oblong or flat stones, hewn and laid closely together, or with round or paving stones, well and properly laid, and not with brick or other material, under the

penalty of twenty-five dollars, to be forfeited and paid by the owner or owners of the lot or lots in front of which such private cartway shall be, severally and respectively. But the provisions of this section may be modified by a resolution of Council passed by a two-thirds vote.

SEC. 175. The owner or owners of any dwelling house, store or other building, or lot or lots of ground, fronting on any street or section of a street in the City of Hoboken, whereof the sidewalks have been levelled, graded and curbed, shall at his, her or their charge and expense, well and sufficiently pave or flag the sidewalks, according to the ordinances, and keep and maintain in good repair the sidewalks and curb and gutter of such street in front of any such dwelling house, store or other building, or lot or lots of ground.

SEC. 176. It shall be lawful for the persons employed to pave or repave any street or section of a street in the City of Hoboken, to place proper obstructions across such street or carriageway for the purpose of preserving the pavement then newly made, or to be made, until the same shall be fit for use; leaving at all times a sufficient passage for foot passengers, and giving at least three days' notice of such obstruction by written or printed notices, put up in at least three of the most conspicuous places in said street.

SEC. 177. No person or persons shall, without the consent of the Street Commissioner in writing, or without the consent of the person superintending said paving, throw down, displace or remove any such obstruction mentioned in the last preceding section of this ordinance, under penalty of ten dollars for every such offense.

SEC. 178. Whenever any such person or persons shall have authority under any contract of the Corporation or any officer thereof, or under any permit authorizing the same, to remove the pavement or flagging from, or to excavate, or to occupy or use any part of the public streets or highways in the City so as to obstruct the travel in any streets or any highways, and to prevent the

the same from being used for the time being for the purposes of travel, such person or persons shall erect or cause to be erected in conspicuous positions, at the several points of intersection of such street or highway so obstructed, with the cross streets nearest to such obstruction, a suitable notice of such construction; which notice shall be in such manner and form as the Street Commissioner may at any time direct. Every person who shall violate any provisions of this section shall forfeit and pay ten dollars for every such offense.

SEC. 179. It shall be the duty of every person or persons engaged in digging down any street or highway, in paving any street or section of a street, building any sewer or drain, digging any trench for gas pipes or water pipes, or digging and building any cistern or well in any of the public streets and highways, under contract with the Corporation of this City, or to any officer thereof, or by virtue of any permission which may have been granted to them by the Common Council or Street Commissioner, where such work if left exposed would be dangerous to passengers, to erect a fence or railing at such excavation or work in such a manner as to prevent danger to passengers who may be travelling such streets or highways, and to continue and uphold the said railing or fence until the said work shall have been completed or the obstruction or danger removed; and it shall also be the duty of such persons or persons to place upon such railing or fence, at twilight in the evening, suitable and sufficient lights and keep them burning through the night, during the performance of such work, under the penalty of fifty dollars for every neglect or violation of any of the provisions of this ordinance.

SEC. 180. It shall not be lawful for any person or persons to break up or displace any of the paved streets of this City without permission of the Committee on Streets, and such permission shall not be given until the party applying therefor shall enter into a stipulation satisfactory to the Committee on Streets to replace and repair the said pavement (to the satisfaction of the

Street Commissioner) ,at his or their own expense, by a day to be named in said permit, and if any person or persons shall neglect and refuse to repair and replace the same in accordance with such stipulation and permit, he or they shall forfeit and pay the sum of fifty dollars for each offense, and in addition thereto shall pay the expense of repairing and replacing such pavement, which shall be done by and under the direction of the Street Commissioner.

SEC. 181. It shall not be lawful for any person or persons other than the "Board of Water Commissioners" or persons properly authorized by them, to break up or displace any pavement or to excavate any of the streets, highways, lanes, alleys or public grounds in or of the City of Hoboken for the purpose of placing therein water pipes, or of making connections with the pipes of the said "Board of Water Commissioners," under the penalty of fifty dollars for each offense, to be forfeited and paid by the person or persons causing, ordering, doing or procuring said work to be done, either of whom shall also be liable to pay the expense of repairing said street or other place so as aforesaid broken up, displaced or excavated, which repairs shall be done by or under the direction of the Street Commissioner.

SEC. 182. It shall be the duty of the Street Commissioner to charge and receive the sum of one dollar for the use of the City for each permit granted to break up or displace any of the paved streets of this City or any part thereof, and at the end of each month to pay said moneys to the City Treasurer.

CHAPTER XVI.

OF OBSTRUCTIONS AND INCUMBRANCES AND THE STREETS AND PUBLIC PLACES, AND OF ENCROACHMENTS THEREON.

SEC. 183. No person shall encumber or obstruct any street, highway, public lane or alley or other public

place in the City of Hoboken by placing therein, or thereon, any building materials or any article or thing whatsoever, without having first obtained the written permission of the Committee on Streets and Assessments, under penalty of ten dollars for each offense, and the further sum of five dollars for every day such encumbrance or obstruction shall continue.

SEC. 184. The Street Commissioner, Mayor or Chief of Police is hereby authorized and empowered to order any article or thing whatsoever, which may encumber any street, highway, public lane or alley, public wharf, dock or slip, or other public place, to be removed; and if such article or thing shall not be removed within two hours after notice to the owner thereof to remove the same; if the owner can not be readily found for the purpose of such notice, to cause the same to be removed to some suitable place to be designated by the said Street Commissioner, Mayor or Chief of Police. And the owner of any article or thing so removed shall forfeit and pay five dollars in addition to the cost of such removal.

SEC. 185. Any article or thing which may be removed in accordance with the provisions of the last preceding section, shall be advertised and sold by the Street Commissioner at the end of thirty days after such removal, unless the same shall be sooner reclaimed, and the penalty and costs paid by the owner thereof, and the Street Commissioner making such sale shall immediately thereafter pay the proceeds into the City Treasury and furnish the Comptroller with a statement of the article or thing sold, and the amount for which the same was sold, and the balance if any, after deducting the penalty and costs, shall be paid to any person or persons furnishing satisfactory proof of ownership.

SEC. 186. No person shall remove or cause to be removed, or aid or assist in removing any building into, along or across any street, highway, public lane or alley in the City of Hoboken, without having first obtained the written permission of the Committee on Streets and Assessments, and conforming to such restrictions and

conditions as they may prescribe, under the penalty of twenty-five dollars, to be forfeited and paid by the owner of the building, or any person aiding or assisting in its removal, and the further penalty of twenty-five dollars for every day the same shall remain in or upon any street, highway, public lane or alley.

SEC. 187. Every such permit granted by the Committee on Streets and Assessments shall specify the time to be occupied in such removal, which time shall in no case be longer than is actually necessary, but such time may be extended for good and sufficient cause.

SEC. 188. The owner of any building or the contractor for its removal, either or both, who shall suffer the same to be or remain in or upon any street, highway, public lane or alley for any time longer than that specified in the permission of the Committee on Streets and Assessments, shall forfeit and pay the sum of ten dollars, and the further sum of ten dollars for every day the same shall continue.

SEC. 189. No person shall erect or place in building, in whole or in part, upon any street, highway, public lane or alley or other public ground within the City of Hoboken, under the penalty of fifty dollars for each offense, and the further sum of twenty-five dollars for every day the same shall continue.

SEC. 190. The owner of any building, fence or any encroachment or obstruction now standing, or which may hereafter be erected or placed upon any street, highway, public lane or alley or other public ground within the City of Hoboken, shall remove the same within thirty days from and after the time when he shall be required to move the same by a notice in writing signed by the Street Commissioner, under the penalty of fifty dollars for every such offense.

SEC. 191. Whenever the owner of any building, fence or other encroachment or obstruction upon any street, highway, public lane or alley or other public ground within the City, shall refuse or neglect to remove the same, after notice as provided in the last preceding section, the

same shall be deemed a nuisance, and it shall be lawful for the Street Commissioner to cause the same to be removed or taken down; and every person who shall oppose or resist the orders of the Street Commissioner in the premises shall forfeit and pay the sum of fifty dollars.

SEC. 192. No person or persons shall construct or continue any platform, stoop or steps in any street in the City of Hoboken, which shall extend more than one twelfth part of the width of the street, nor more than six feet; nor with any other than open backs or sides or railing; nor of greater width than is necessary for the purpose of a convenient passageway into the dwelling house, store or other building; nor any stoop or steps which shall exceed five feet in height, under the penalty of fifty dollars for each offense.

SEC. 193. No person or persons shall construct or continue any bay window or other window which shall extend into any street more than one foot from the wall of any dwelling house, store or other building, under the penalty of fifty dollars for each offense, to be forfeited and paid by the owner or owners thereof or the person or persons who constructed the same, severally and respectively.

SEC. 194. No person or persons shall construct or continue any cellar door which shall extend more than one twelfth part of any street, nor more than five feet into any street, under penalty of fifty dollars for each offense.

SEC. 195. No person or persons shall hereafter construct any porch over his cellar door, in any street, under the penalty of fifty dollars for each offense.

SEC. 196. No owner or occupant of any dwelling house, store or other building or premises, shall fix, put up or erect, or permit or suffer the same to remain fixed, put up or erected, any wooden shed or any covering of wood or other material, without a written permit from the Committee on Streets and Assessments, except cloth or canvas for the purpose of an awning or for any other purpose, which shall project into or be erected over and

upon the street or sidewalk in front of any such building or premises, under the penalty of fifty dollars, to be forfeited and paid by the owner or occupant thereof, severally and respectively.

SEC. 197. No person shall place or fix or continue in any street in this City, any awning post or any hitching post, any cloth or canvas for an awning, unless by the direction of the Committee on Streets and Assessments, and made conformably to the next succeeding section of this ordinance, under the penalty of ten dollars.

SEC. 198. Posts for the purpose of hitching or fastening horses may be placed on the sidewalk in front of any building, immediately within the curb stone or outer line of the sidewalk, but no more than two of such posts shall be placed in front of a twenty-five foot lot, and such post when of wood shall be round and not exceeding four feet in height and six inches in diameter.

SEC. 199. The owner or occupants of any dwelling house, store or other building in this City, shall be and is hereby authorized and permitted to construct from their respective buildings thereon, wrought iron brackets or frames for the support of awnings, which said brackets or frames shall be firmly secured to the building and shall be not less than eight feet nor more than ten feet in height above the sidewalk, and shall not project over the sidewalk beyond the line of curb stone, nor more than ten feet in-----any case whatever; and any owner or occupant as aforesaid, who shall violate any of the provisions of this section, shall forfeit and pay ten dollars, and the further sum of two dollars for every day such violation shall continue after notice to alter or remove the same.

SEC. 200. That the Street Commissioner is hereby authorized and directed to take out, remove and abate or cause to be taken out, removed or abated, any stoop, step, platform, bay window, cellar door, area, descent into a cellar or basement, sign, tree, or any post or erection, or any projection or otherwise, in, over or upon any street or avenue, contrary to the provisions of this ordinance,

and the expense thereof shall be recoverable of the owner or occupant of the premises appertaining to the same, respectively.

SEC. 201. No person shall cut down, destroy, break, or in any manner injure any tree or shrub standing in any public place or highway, unless by direction of the Common Council or the Street Commissioner, for the purpose of regulating and improving such street or highway, under the penalty of twenty-five dollars for each offense.

SEC. 202. No person shall at any time fasten any horse or animal to any ornamental or shade tree in any of the streets in this City, or to any box or case around such tree, without the consent of the owner of such tree, under the penalty of five dollars for each and every offense.

SEC. 203. No person shall obstruct the cross-walks laid across the public streets or highways by placing or stopping his horse or horses, cart, wagon, sleigh, sled, or other vehicle upon or across any of the said cross-walks, or by placing or putting any obstructions or things across or on the same, under the penalty of five dollars for each and every offense.

SEC. 204. No person shall at any time fasten any horse or horses in such manner that the reins or lines shall be an obstacle to the free use of any sidewalk or cross-walk, under the penalty of five dollars for each and every offense.

SEC. 205. No person shall push, lead, ride, draw, back or drive any horse or other animal, cart wagon, sleigh, sled or other vehicle, over or upon any sidewalk, unless it be in crossing the same to go into a yard or lot, under the penalty of ten dollars for each and every offense.

SEC. 206. No owner or occupant of any dwelling house, store or other building, shall suffer or permit any horse, cart, wagon, sleigh, sled or other vehicle to be driven or otherwise to pass or go over or upon the sidewalk or footpath in front of such building, for the purpose of loading or unloading such cart, wagon, sleigh, sled or other vehicle, or for any other purpose whatever.

under the penalty of five dollars for each offense.

SEC. 207. Nothing contained in the last preceding section of this ordinance shall be construed to prohibit any person or persons from having free access for horses and cattle, carts, wagons or other vehicles belonging to them or used or employed by them, in going or returning across the sidewalk in front of any alley, gateway or passageway leading to their premises.

SEC. 208. No owner or occupant of any dwelling house, store or other building shall place or deposit, or suffer or permit to be placed or deposited upon any sidewalk or footpath in this City, any coal or sawed wood, which shall remain on such sidewalk longer than two hours, under the penalty of five dollars for each offense.

SEC. 209. If any cartman or other person or persons shall break or otherwise injure any sidewalk or footpath in this City, he or they shall cause the same to be well and sufficiently repaired and amended within twenty-four hours thereafter, under the penalty of five dollars for every such offense.

SEC. 210. No obstruction of any kind shall be placed on the streets, sidewalks or public places within the limits of the City of Hoboken within twelve feet of any fire hydrant, and the space around such hydrants shall at all times, within the limit aforesaid, be kept open and unobstructed.

SEC. 211. Any person who shall place any obstruction upon any street, sidewalk or public place within twelve feet of any such hydrant, or, being the owner of the premises, shall refuse or neglect immediately to remove the same upon being notified to do so by the Chief of the Fire Department, shall for each offense forfeit and pay, for the use of the City, the sum of twenty-five dollars.

SEC. 212. That hereafter no permission shall be given to any person or corporation to use the streets or public places of the City for any private purpose, except upon the terms, conditions, and in the manner herein provided, provided, however, that nothing in this ordinance shall be construed or relate to or effect peddlers

and other small dealers doing business under permits or established license fees.

SEC. 213. Any person or persons or corporation desiring to obtain permission to use the streets and public places of the City for any such purpose or purposes, shall first make application in writing therefor to the Mayor, stating therein particularly the use or uses they desire to make of such street or public places, and what structures or works they propose to erect or place therein.

CHAPTER XVII.

OF THE REMOVAL OF SNOW, ICE, DIRT, ETC.

SEC. 214. The owner or occupant, or person having charge of each and every dwelling house, store or other building, or lot or lots of ground in the City of Hoboken, shall within the first six hours after every fall of snow or hail, or after the formation of any ice upon the sidewalks and in the gutters, unless the said ice shall have been covered with sand or ashes, cause the same to be removed entirely from off the sidewalks, and to the breadth of one foot out of the gutter, opposite such dwelling house, store, building, or lot of land, under the penalty of five dollars for every such neglect, to be forfeited and paid by the said owner, occupant or person having charge thereof, severally and respectively.

SEC. 215. In case the gutter opposite any dwelling house, store or other building, or lot or lots of ground, in the City of Hoboken, shall at any time become obstructed with snow, ice, dirt or anything whatsoever, the owner or occupant or person having charge thereof, shall cause the said gutter to be cleaned out to the width of two feet, so that the water may run freely along the same, under the penalty of five dollars for every such neglect, to be forfeited and paid by the owner, occupant or person having charge thereof, severally and respectively.

SEC. 216. Any contractor or contractors or other

person or persons, who shall cause or permit any cart or wagon or other vehicle to be heaped up with manure, sand, earth, mud, clay or rubbish, so that the contents or any part thereof shall be scattered in the street, highway, public lane or alley, or other public place in this City, shall forfeit and pay five dollars for each offense.

SEC. 217. No person, without the permission of the Street Commissioner, shall take up, remove or carry away, or cause to be taken up, removed or carried away, any turf, stone, sand, clay or earth from any public street or highway in the City of Hoboken, under the penalty of ten dollars for each offense.

SEC. 218. No person without the permission of the Street Commissioner shall dump or deposit earth, dirt, rubbish or other article, contrary to the provisions of this ordinance, either upon the carriage-way or sidewalks of any public streets or highways in the City of Hoboken, under the penalty of ten dollars for each offense.

CHAPTER XVIII.

OF THE PUBLIC USE OF THE STREETS.

SEC. 219. No person shall ride or drive any horse, horses or other animal in the City of Hoboken with greater speed than at the rate of six miles an hour, under the penalty of five dollars for each offense, to be forfeited and paid by the owner or driver thereof, severally and respectively.

SEC. 220. No person upon turning the corner of any street in the City of Hoboken shall ride or drive any horse, horses or other animals otherwise than a walk, under the penalty of five dollars for each offense, to be forfeited and paid by the owner or driver thereof, severally and respectively.

SEC. 221. No person shall suffer or permit to go, or lead, or drive any horse, horses or other animal, upon any sidewalk in the City of Hoboken, under the penalty

of five dollars for each offense, to be forfeited and paid by the owner or person having the care, charge or keeping thereof, severally and respectively.

SEC. 222. No person shall run or race any horse in any public street or highway in the City of Hoboken, nor shall consent to or suffer such racing, under the penalty of fifty dollars, to be forfeited and paid by the person or persons who shall so race, or suffer or permit such racing, and the owner, rider and the person having charge of any animal which shall so race and run, severally and respectively.

SEC. 223. No person shall drive any horse and sleigh or sled through any public street or highway in the City of Hoboken, unless there shall be a sufficient number of bells attached to the harness of such horse and sleigh or sled to warn persons of their approach, under penalty of five dollars for each offense, to be forfeited and paid by the owner, driver or person having care, charge or keeping thereof, severally and respectively.

SEC. 224. No person or persons shall drive or lead any horse, sheep, swine, goat, cow, calf, or cattle of any description upon and along and lengthways thereupon any sidewalk or footpath within the City of Hoboken, under the penalty of five dollars for each and every offense, to be forfeited and paid by the owner of such animal and the person or persons driving or leading the same.

SEC. 225. It shall not be lawful for any person or persons or corporation to deposit any lime, mortar, sand, or other building material for use in the construction of any building, sidewalk or other structure, on the line of any asphalt pavement in the City of Hoboken, unless the said pavement be first protected by a platform of boards, or other substantial material, to prevent damage by such deposit of building materials to the said asphalt pavement, under the penalty of ten dollars for the first offense and five dollars additional for every offense thereafter, provided that the maximum penalty in any case shall not exceed twenty-five dollars.

SEC. 226. That it shall not be lawful hereafter for

any person to drive or cause to be driven or permit his or her servant to drive or cause to be driven upon the asphaltum pavement, laid or to be laid on any street in the City of Hoboken, any wagon or other vehicle having upon it a weight which together with the weight of the wagon or vehicle shall exceed two thousand pounds, unless the tires upon such wagon or vehicle shall be at least three inches in width; for any wagon or vehicle having upon it a weight which together with the weight of the wagon or vehicle shall exceed three thousand pounds, unless the tires of such wagon or vehicle shall be at least four inches in width, or any wagon or vehicle having upon it a weight which together with the weight of the wagon or vehicle shall exceed four thousand pounds, unless the tires upon such wagon or vehicle shall be at least five inches in width; or any wagon or vehicle having upon it a weight which together with the weight of the wagon or other vehicle shall exceed five thousand pounds, unless the tires upon such wagon or other vehicle shall be at least six inches in width; or any wagon or vehicle having upon it a weight which together with the weight of the wagon or other vehicle shall exceed six thousand pounds, unless the tires upon such wagon or vehicle shall be at least seven inches in width; or any wagon or vehicle having upon it a weight which together with the weight of the wagon or other vehicle shall exceed seven thousand pounds, unless the tires upon such wagon or other vehicle shall be at least eight inches in width; or any wagon or vehicle having upon it a weight which together with the weight of the wagon or other vehicle shall exceed eight thousand pounds, unless the tires upon such wagon or vehicle shall be at least nine inches in width; or any wagon or vehicle having upon it a weight which together with the weight of the wagon or other vehicle shall exceed nine thousand pounds, unless the tires upon such wagon or other vehicle shall be at least ten inches in width; or any wagon or other vehicle having upon it a weight which together with the weight of the wagon or other vehicle shall exceed ten thousand pounds, unless

the tires upon such wagon or vehicle shall be at least eleven inches in width; under penalty of not less than five dollars nor more than twenty-five dollars for each and every offense.

SEC. 227. That the foregoing section shall not apply to wagons or other vehicles used in conducting a business located on said asphalt streets, or for wagons or other vehicles used for the delivery of supplies or removing food or merchandise along said asphalted streets, provided such wagons or other vehicles enter and leave said asphalted streets at the nearest cross street to the point where delivery or removal of supplies or goods are to be made.

CHAPTER XIX.

OF THE PUBLIC GROUNDS OF THE CITY.

SEC. 228. No person shall play ball, quoits, or any other game or play whatever, in any of the enclosed public grounds or squares of this City, under the penalty of five dollars for each and every offense.

SEC. 229. No person shall pull up, break down or injure any of the trees, grass or shrubbery in any public ground or square, nor shall any person climb, bend, cut, mar, or in any manner injure any of the trees in such public grounds or squares, under the penalty of twenty-five dollars for each and every offense.

SEC. 230. No person shall break, cut, deface, or injure any bench or benches, or any post, chain, fence or gate belonging to or enclosing any public ground or square, or swing or hang upon the chains or gates thereof, or unfasten or open such chains, or gates for the purpose of giving admission to any horse or cattle to such public grounds or squares, under the penalty of five dollars for each and every offense.

SEC. 231. No person shall be permitted on public holidays or at any other time to place, put up or erect any booth or booths, shed or other convenience, or to station

any wagon or other vehicle for the sale of any liquor, provisions or other articles, in or upon any public ground or square, or any public street or highway, except by permission of the Mayor or the Committee on Public Grounds and Buildings, under the penalty of five dollars for each and every offense.

CHAPTER XX.

RELATING TO SEWERS AND DRAINS.

SEC. 232. The manner of piercing or opening to any of the public sewers or drains and the form, size and materials of which connections therewith shall be composed shall be prescribed by the Street Commissioner, under the direction of the Committee on Sewers of the Common Council.

SEC. 233. The Street Commissioner, on application for that purpose, is hereby authorized and empowered to grant permission to persons to construct at their own expense sewers or drains, or to lay pipes, to connect with any sewers or drains, built in any of the public streets and highways of the City, which he may deem proper and judicious, on being furnished by the applicants with the written consent of a majority of owners of property of the street or highway in front of which said sewer, drain or pipe is to pass; such permission to be so conditioned that the persons applying therefor shall comply with the ordinances of the City in relation to excavating the streets, to be responsible for damages for injuries caused to persons, animals or property by reason of any neglect or carelessness connected with the work permitted; that no claim be made by them or their successors in interest if the same be taken up by authority of the Common Council; nor exemption from assessment for building sewers or drains in the vicinity of their property; such permission to be concurred in by the Committee on Sewers.

SEC. 234. No connection shall be made with any

sewer or drain without the written permission of the Committee on Sewers, and if any connection or opening shall be made into any sewer or drain without such permission or in a manner different from the mode prescribed for such opening by the Street Commissioner, the person or persons making the same and the owner or occupant of the premises directing it to be made shall severally and respectively forfeit and pay the sum of fifty dollars for every such offense.

SEC. 235. All such permissions given by the Committee on Sewers to connect with sewers and drains, and all sewers, drains or pipes constructed and laid by permission of the said committee to connect with any sewers or drains in any of the streets or highways of the City, shall be upon the express condition that the Common Council of the City of Hoboken, may at any time revoke and annul the same; and the persons making such connections or their successors in interest shall have no right to demand or claim any damages in consequence of such permission being revoked or annulled.

SEC. 236. All openings into any sewers or drains for the purpose of making connection therewith from any dwelling house, cellar, vault, yard, or other premises, shall be made by the persons duly licensed to perform such work; the said person shall execute a bond to the Mayor and Common Council of the City of Hoboken, in the penal sum of one thousand dollars, with sufficient sureties, conditioned that they will carefully make the opening into any sewers or drains in the manner prescribed by the Street Commissioner, without injuring them; that they will leave no obstructions of any description whatever in them, and properly close up the sewer or drain around the connection made by them, and make no opening into the arch of any sewer or drain; that they will faithfully comply with the ordinances relating to opening and excavating streets, and be responsible for any damages or injuries that may occur to persons, animals or property, by reason of any neglect or carelessness on their part, connected with said work,

and that they will properly refill and ram the earth and suitably restore the pavement taken up for excavating, and repave the same should it settle or become out of order within six months thereafter; and in case any person so licensed shall neglect to repair the pavement aforesaid within twenty-four hours after being notified, the said Street Commissioner may cause the same to be done and charge the expense thereof to the person so neglecting.

SEC. 237. Ten dollars shall be paid to the Street Commissioner to connect with each dwelling house, store or building with any sewer or drain. Each hotel, boarding house or public building covering more ground than twenty-five feet by fifty feet, shall pay proportionately for such additional space of ground covered by each, respectively. Manufactories, breweries, distilleries and the like, for permission to connect with sewers or drains for the purpose of carrying off water or fluid that will not deposit sediment or obstruction, shall pay such sum as shall be fixed and determined by the Street Commissioner under the direction of the Committee on Sewers. All payments for permits as aforesaid shall be paid to the Street Commissioner prior to the delivery of the same to the person or persons making the application therefor to the Committee on Sewers.

SEC. 238. No owner or occupant of any dwelling house, store or other building, or of any manufactory, brewery, distillery or the like, having permission to connect with any sewer or drain, as aforesaid, shall permit any substance to flow into any sewer, drain or receiving basin which shall form a deposit that tends to fill said sewer, drain or receiving basin, under the penalty of fifty dollars for each offense.

SEC. 239. No butcher's offal or garbage, dead animals or obstruction of any kind whatever, shall be placed, thrown or deposited in any receiving basin or sewer; and any person so offending or causing any such obstruction or substance to be placed so as to be carried into such receiving basin or sewer shall forfeit and pay

ten dollars for each offense; and any person who shall injure, break or remove any portion of any receiving basin, covering flag, man-hole, vent, or any part of any sewer or drain, or who shall obstruct the mouth of any sewer or drain or obstruct the flow of water in any sewer or drain or water course in the City of Hoboken, shall forfeit and pay twenty-five dollars for every such offense.

SEC. 240. No owner or occupant of any manufactory, brewery or any other building in which steam is used, shall be permitted to discharge exhaust from steam engines directly into any public or private sewer or drain; also to discharge them into any public highway, under the penalty of fifty dollars for each offense.

CHAPTER XXI.

RELATING TO THE CONSTRUCTION AND REPAIR OF SIDEWALKS.

SEC. 241. That in any case where the Common Council shall be resolution determine to construct, repair and maintain any sidewalk, the work shall be done under the supervision, control and direction of the Street Commissioner and Committee on Streets and Assessments.

SEC. 242. The resolution shall specify the general character of the work intended to be done, and the Street Commissioner, immediately after the passage of such resolution, shall cause a notice in writing to be served upon the owner or occupant of any lands to be effected. Whenever any lands are unoccupied and the owner can not be found within the City, the same may be mailed, postage prepaid, to his or her post office address, in case the same can be ascertained. In case such owner is a non-resident of the City, and his or her post office address can not be ascertained within the City, notice shall be inserted for four weeks, once a week, in one of the official newspapers of this City; such notice shall specify the work to be done and the manner in which it shall be executed if done by the owner or occu-

pant. In case the owner or occupant shall not within thirty days from the date of the service of such notice perform the work as required therein, upon filing proof of the service or publication of such notice, it shall be the duty of the Street Commissioner to cause the required work to be done.

SEC. 243. In case the work is done by the City, the cost of the same shall be paid out of the moneys appropriated in the annual tax levy to the construction, repair and maintenance of sidewalks in the same manner as other work done by the Street Department is now paid for, and the cost of such work when finished shall be certified to by the Street Commissioner, and a certificate thereof filed with the Collector of Revenue, who shall proceed according to law for the collection of the same.

SEC. 244. Any person who shall throw or deposit on any sidewalk or crosswalk in any street, avenue or public place within the corporate limits of the City of Hoboken, any fruit or vegetable or other substance, or any part or portion thereof, which is liable to cause or does cause, any one passing along said sidewalk or crosswalk to slip or fall, shall, on conviction thereof before the Recorder, be punished by a fine of not less than one dollar nor more than five dollars for each offense.

SEC. 245. No occupant of any store, dwelling or building of any description, within the City of Hoboken, shall sweep or deposit or permit to be swept or deposited any paper, dirt or rubbish of any kind from his store, dwelling or other building, on, into or upon the sidewalk or gutter in front of the premises occupied by him, under the penalty of ten dollars for each offense.

CHAPTER XXII.

CONCERNING THE MANUFACTURE, STORAGE, TRANSPORTATION AND SALE OF POW- DER, NITRO-GLYCERINE, ETC.

SEC. 246. No person shall manufacture, have, keep

or give away any gunpowder, blasting powder, gun cotton, nitro-glycerine or dualin within the limits of the City of Hoboken, except in quantities limited in the manner and upon the conditions herein provided and under such regulations in special cases as the Board of Fire Commissioners shall prescribe. Permits may be issued to persons desiring to sell gunpowder or any of the articles herein mentioned at retail at a particular place in said City, to be named in said permit (provided that the same be not in a building used in any part thereof as a dwelling, unless especially authorized by such permit), and persons having a permit from the Board of Fire Commissioners may have on their premises, if actually kept for sale, a quantity not exceeding at one time, of gun cotton five (5) pounds; of gunpowder fourteen (14) pounds; blasting powder, twenty-five (25) pounds; and all said articles shall be put up in tight metallic canisters containing or capable of containing not more than one (1) pound each, and the person having such permit shall place on some conspicuous part of the front of each of the stores or buildings, in which they may be permitted to sell powder or any of the articles herein named, a sign on which shall be distinctly painted in characters legible to persons passing such stores or buildings, the words "Gunpowder, by permit of the Board of Fire Commissioners," or designating such other of the articles herein named; and every barrel, cask, canister, bottle, can, vessel, box or parcel in which the same is sold, or into which the same is delivered on being sold, shall be distinctly labelled with a printed sign or label printed upon or firmly affixed thereto, describing the articles contained therein, with the word "Danger" distinctly painted before the same. No nitro-glycerine, dualin or gunpowder greater than above shall be kept, carried or conveyed, except that for the purposes of distribution to or delivery from stores and buildings, a quantity not more than five quarter casks may be carried at any one time during the daytime for the purpose of transportation from any vessel or car, or sending the

same to stores or buildings or any vessel, car or place outside of the limits of the City, provided, that in carrying and conveying it shall be protected by being completely and securely covered with a leather or canvas cover or case and marked "Gunpowder." The commander, owner or owners of any ship or other vessel arriving in the harbor, and having more than twenty-eight (28) pounds of gunpowder, dualin or nitro-glycerine on board, shall within forty-eight hours after the arrival and before such ship or vessel shall approach nearer than three hundred feet of any wharf, pier or ship, immediately give a written notice to the Board of Fire Commissioners of the fact that such gunpowder or nitro-glycerine is on such vessel; but any vessel may proceed either to sea within forty-eight hours after arrival and may tranship such gunpowder or nitro-glycerine from one ship or vessel to another for the purpose of immediate transportation, without landing the same; provided, however, that the provisions of the preceding sections shall not apply to any vessel receiving gunpowder or freight in any one day, provided such vessel does not remain at any wharf or be within three hundred feet after sunset. Nothing herein contained shall be construed to apply to any ship or vessel of war in the service of the United States or of any foreign government which is lying distant three hundred feet or upwards from any wharf, pier or ship. A greater quantity of gunpowder or of any of the articles herein named may be stored or used in such manner as the Board of Fire Commissioners may designate, under a special permit issued therefor. Any person, persons or corporation for the violation or non-compliance with any of the several provisions of this ordinance, or who shall continue to use, allowed to be used or kept for use on any premises owned or occupied by him, her or them, after notice from said Commissioners, any article for sale or use or which is hereby prohibited, shall severally forfeit and pay a fine or penalty in the sum of fifty dollars for each and every offense, and shall also be severally liable and pay the further penalty of fifty dollars for each and

every day's delay to comply with the rules and directions herein contained; and said fines and penalties to be recovered pursuant to the Charter of the City of Hoboken and the supplements thereto.

SEC. 247. No fireworks, detonating works, cartridges, powder train, percussion caps, matches, or explosive compounds shall hereafter be manufactured, stored or kept upon sale in the corporate limits of the City of Hoboken, except at such places in such manner and in such quantities as shall be determined by the Board of Fire Commissioners in the exercise of their discretion, under a permit issued therefor, and subject to be revoked at any time by said Commissioners. Fireworks consisting of Chinese crackers, rockets, blue lights, candles, colored pots, lance wheels and other works of brilliant colored fires may be kept upon sale intervening the tenth day of June and the tenth day of July in each year by retail dealers under such regulations as may be prescribed under a permit issued therefor, and no quantity of the following named chemicals, acids and combustible materials greater than as hereinafter enumerated shall be stored or kept in or upon any one building, namely: Sulphus, one thousand (1,000) pounds; manufactured matches, five hundred (500) pounds; salt petre, nitrate of soda, five hundred (500) pounds in the whole; nitrate of silver, collodium, ether, phosphorous, fifty (50) pounds in the whole; aquafortis, muriatic acid, nitric acid and sulphuric acid, not exceeding one thousand (1,000) pounds in the whole; tar, pitch, rosin, turpentine and varnish, one hundred (100) barrels in the whole, except the same shall be stored and kept in such buildings and manner as may be required under a special permit issued therefor. Any person, persons or corporation for the violation and non-compliance with any of the several provisions of the foregoing ordinance, when the penalty is not herein specially provided, or shall continue to use, or allow to be used, or keep, for use, on any premises owned or occupied by him, her or them, after notice from said Commissioners, any articles the sale or use of which

is prohibited, shall severally forfeit and pay a fine or penalty in the sum of fifty dollars for each and every offense, and shall also be severally liable and pay the further penalty of fifty dollars for each and every day's delay to comply with the rules and directions herein contained; the said fines and penalties to be recovered pursuant to the Charter of the City of Hoboken and the supplements thereto.

SEC. 248. No person shall kindle any fire or furnish the material, or in any way authorize or allow any fire to be made in any street or road, alley, lane, or upon any pier, wharf or bulkhead, except by special permit issued therefor, under a penalty of ten dollars for each and every offense; said penalty to be recovered pursuant to the Charter of Hoboken and the supplements thereto.

SEC. 249. All lights used in theatres and all other places of public amusement, manufactories, stables, or in show windows, shall be properly protected by globes, glass coverings, or in such other manner as the Board of Fire Commissioners shall prescribe, under the penalty of ten dollars for each omission to do so; said penalty to be recovered pursuant to the Charter of the City of Hoboken and supplement thereto.

SEC. 250. No persons shall have, keep upon sale or store in any place or building within the corporate limits of the City of Hoboken, any crude petroleum, coal, or any similar oil, nor any of their products, either of which shall emit an inflammable vapor at a temperature below one hundred degrees fahrenheit, except under the following conditions: These oils or any of their products may be stored in detached and properly ventilated warehouses, the outer wall of which shall be stone, brick or iron, especially adapted for the purpose by having raised sills at least two feet high, on the ground floor of which shall be at least two feet below the level of the street or adjoining yard, or so constructed as to actually prevent the overflow of such substance below the premises where the same may be kept or stored, which said warehouses shall not be occupied in any part as a dwelling,

and, if less than fifty feet from any adjacent dwelling, the same must be separated by a brick or stone wall at least ten feet in height and twelve inches thick, constructed in such manner as the Board of Fire Commissioners may prescribe.

SEC. 251. No refined petroleum, kerosene, coal or similar oil, or any product thereof, to be used for illuminating or heating purposes which shall emit an inflammable vapor at a temperature below one hundred degrees fahrenheit, shall be kept upon sale, stored or used within the corporate limits of the City of Hoboken; all said articles may be tested and their quality determined by competent persons authorized by the Board of Fire Commissioners.

SEC. 252. No refined petroleum, kerosene, gasoline, naphtha or benzine, camphene, or burning fluid, or products or compounds containing any of said substances, shall be placed above the cellar or basement of any building, except the same shall be contained in metallic vessels or tanks of a construction to be approved by the committee of the Board of Fire Commissioners, and of a capacity not to exceed in the whole quantity the contents of fifty barrels of fifty-five gallons each; provided, however, that the whole quantity of said refined oils that may be temporarily stored or kept over night in a building, no part of which shall be occupied as a dwelling, shall not exceed the contents of ten (10) barrels, unless stored in the manner provided for storing crude petroleum; and when stored in cellars or basements, surrounded by walls of brick or stone, and at least two (2) feet below the level or grade of the sidewalk, the street or land adjacent, the whole quantity shall not exceed the contents of one hundred and fifty (150) barrels, unless stored in warehouses especially adapted for that purpose as required for the storage of crude petroleum under the foregoing sections, provided also, that no quantity of said oils greater than two (2) barrels shall be stored or kept in any building occupied in any part thereof as a dwelling.

SEC. 253. No refined petroleum, kerosene, gasoline, naphtha, benzine, bensole, camphene, burning fluid, or products or compounds containing any of said substances shall be allowed to remain on the sidewalk beyond the front line of any building or in or upon the streets, docks, piers, bulkheads, slips, highways, or public places of the City of Hoboken for a longer time than is actually necessary for the removal or loading of the same, except by special permission.

SEC. 254. The committee of the Board of Fire Commissioners may establish and enforce by and with the consent of the Board of Fire Commissioners, general regulations, and issue such orders and special directions relative to the handling, lightering, carting, loading, unloading and transportation of the several articles under these sections as shall be deemed necessary for the public protection. No person, firm or company shall deal in, sell or give away any refined petroleum or products thereof, kerosene or other burning fluid, without first obtaining a permit therefor from the said Board of Fire Commissioners, to be issued under such rules and regulations as they may prescribe, which permit shall be for the term of one year and shall not be transferrable. Said permit shall be posted up in a conspicuous place in the store of the person or persons to whom the same is issued, and may be revoked for cause by the Board of Fire Commissioners.

SEC. 255. Any persons who shall sell any of the compounds above mentioned in these sections above mentioned, without first obtaining a permit therefor, shall forfeit and pay the sum of twenty-five dollars, and any dealer who shall present and deliver for sanitary survey a sample of oil different from and which does not represent the quality of oil actually kept by him or her for sale, and not taken from the actual stock being offered for sale and of the same quality therewith, or shall refuse to furnish a sample or samples to the Surveyor on his applying for the same, shall forfeit and pay the additional sum of fifty dollars.

SEC. 256. Any person or persons or corporation for the violation or non-compliance with any of the several provisions of the foregoing sections or directions, regulations or the orders issued thereunder, when the penalty was not therein specially provided, shall forfeit and pay a fine of fifty dollars for each and every offense, and shall also forfeit and pay the sum of fifty dollars for each and every day's delay to comply with the directions, regulations or orders issued by said Board of Fire Commissioners; and said fines and penalties or either of them to be recovered pursuant to the Charter of the City of Hoboken and supplement thereto.

SEC. 257. Any building, structure, chimney or other thing which the Board of Fire Commissioners shall deem unsafe or unusually tending to produce or extend conflagrations, shall be taken down, removed or made secure as the said Board shall direct by written or printed notices to be served as hereinafter provided.

SEC. 258. All doors, blinds or shutters on stores or storehouses shall be closed upon the completion of the business of each and every day by the occupant having the use and control of the same, and all fireproof shutters or blinds that now or may hereafter be put upon the front or sides of any building on the street front, must be so constructed that they can be closed and opened from the outside above the first story.

SEC. 259. All hoist-ways, elevators or well-holes now or hereafter placed in any store or building shall be provided with and protected by substantial railings on each floor, and also shall have good and sufficient trap doors with which to close the same, and such trap doors shall be kept closed at all times, except when in actual use by the occupant or occupants of the building having the use or control of the same.

SEC. 260. All buildings of a public character hereafter erected such as hotels, churches, theatres, school houses, restaurants, railroad depots, public halls, and other buildings used or intended to be used for purposes of public amusement or instruction, shall have the halls,

doors, stairways, seats and aisles so arranged so as to facilitate egress in cases of fire or accident.

SEC. 261. All skylights less than three feet above the level of the roof of any building hereafter erected shall be provided with and protected by a substantial railing or iron grating.

SEC. 262. All buildings, except dwelling houses, and all livery and other stables, hay-boats or vessels and places where any merchandise, gunpowder, hemp, flax, tow, hay, shavings or other combustible materials may be lodged, may be entered and examined at any time by the Fire Commissioners, their officers, agents or either of them.

SEC. 263. All chimneys shall be kept clean and free from soot, and for every fire originated in a chimney caused by an accumulation of soot, the owner, lessee or person in charge of such chimney shall be liable to a fine of five dollars. All stoves, ranges, furnaces and heating apparatus, including pipes, with which the same may be connected, and all engines, boilers, theatrical machinery or other things which the Board of Fire Commissioners may deem unsafe or unusually tending to produce or extend conflagration shall be removed, altered or made secure as the said Board shall direct by written or printed notice, to be served as hereinafter provided.

SEC. 264. All notices of the violation of any of the several provisions of the foregoing sections, and that may be required to be issued thereunder, and also any notice that any building, structure or chimney or any part are deemed unsafe or dangerous, shall be issued in the name of the Board of Fire Commissioners of the City of Hoboken, and shall have the name of the president and clerk of said board affixed thereto, and may be served by any officer or employee of said board by leaving a copy of the same with any person or persons violating or who may be liable under the several provisions of these sections, and the person or persons so served with notice shall be allowed five days in which to commence the securing or removal of any building, structure, chimney or other

thing which the said Board of Fire Commissioners may direct in such notice.

SEC. 265. Any person, persons or corporation for the violation or non-compliance with any of the several provisions of the foregoing sections or directions, regulations or the orders issued thereunder, where the penalty is not otherwise stated, shall forfeit and pay a fine or penalty of fifty dollars for each and every offense, and shall also forfeit and pay the further sum of fifty dollars for each and every day's delay to comply with the directions, regulations or orders issued by the said Board of Fire Commissioners; and said fines and penalties or either of them to be recovered pursuant to the Charter of the City of Hoboken and supplement thereto.

SEC. 266. For the purpose of covering the expense of issuing permits under the foregoing sections a fee of one dollar will be charged for each and every permit issued.

SEC. 267. The owner or owners of any factory or factories shall cause the smoke-stack or chimneys connected with their said factory or factories to be covered and protected by a covering of wire or other material so that sparks and embers can not issue therefrom to the injury and damage of surrounding property.

SEC. 268. Any owner or owners not covering and protecting his or their said chimneys as aforesaid shall upon being notified by the chief of Police so to cover and protect the same, and if he or they fail so to do within one week from the receipt of said notice he or they shall be liable to a fine not to exceed twenty-five dollars.

SEC. 269. That if any person shall knowingly or willfully give or cause to be given any false alarm of fire within the corporate limits of the City of Hoboken, such person so offending shall on conviction thereof before the Recorder of said City, forfeit and pay a fine not exceeding twenty-five dollars.

SEC. 270. Any person who shall obstruct or cause to be obstructed any fire hydrant in the City of Hoboken, by placing against the same or immediately in front of the same at a distance less than twenty feet on either side

of said fire hydrants, any wagons, brick, lumber, building materials or any obstruction of any kind whatsoever, so as to make access to the said fire hydrant inconvenient or difficult to the Fire Department, without first having obtained written permission from the Chief Engineer of the Fire Department so to do, shall upon complaint of such fact made to the Recorder by the said Chief Engineer of the Fire Department or the Street Commissioner of said city, and after hearing by the said Recorder, be fined the sum of twenty-five dollars by the said Recorder.

SEC. 271. That it shall be the duty of any police officer of the City to report any violation of this ordinance as soon as discovered to police headquarters, and the Chief of Police or other person in authority of the Police Department shall immediately notify either the Street Commissioner or the Chief Engineer of the Fire Department of the existence of such obstruction, to the end that the fire hydrants of the City may at all times be kept free of obstructions and in readiness for use by the Fire Department.

CHAPTER XXIII.

RELATING TO THE OVERSEER OF THE POOR.

SEC. 272. The Overseer of the Poor shall have the exclusive care and charge of the poor of the City of the Hoboken, and furnish relief to such as in his judgment are in circumstances to require it.

SEC. 273. He shall keep in a book to be provided for that purpose a record of the names of all applicants for relief and those receiving relief, the amount given to each, and of all persons taken to the poorhouse or placed under the care of the City Physicians, which list shall specify the age, sex, birthplace, residence and occupation of such patient, and whether married or single, citizens or aliens, whether legally chargeable to the City, how long they have resided therein, the place from whence they came, and the time of their discharge or death.

SEC. 274. He shall receive applications from persons seeking relief and diligently and faithfully inquire into the circumstances and condition, and shall distribute such sums of money and such quantity of fuel or food to the outdoor poor as their circumstances in his discretion require.

SEC. 275. No person shall be admitted into the poor-house without the written permission of the Overseer of the Poor, and if it shall appear that the applicant for admission is legally settled elsewhere, an entry thereof specifying the legal settlement of such persons shall be made in the register required by the 273rd section of this ordinance.

SEC. 276. It shall be the duty of the Overseer of the Poor on receiving the reports of the City Physicians of the sickness of any indigent person, to visit and inquire into the circumstances and ability of such person and on finding him or her unable to procure medical aid at his or her own expense, he shall direct the City Physician to continue his attendance as long as necessary.

SEC. 277. The Overseer of the Poor shall be paid for his services the annual sum of one thousand dollars in equal quarterly payments.

SEC. 278. That whenever any person shall make application to the Overseer of the Poor for relief that he shall consult with one or more of the Committee on Alms of said City, who together shall examine into the state and circumstances of such persons so applying as aforesaid, and if it shall appear to such member or members of the Committee on Alms that such person is in such poor circumstances as to deserve relief, then said member or members of said committee shall give an order in writing to said Overseer to make such allowance, weekly or otherwise, to such poor person as he or they shall think his necessities may or shall require; which order shall be a voucher for the payment or expending of so much money by the said Overseer, and shall be allowed in adjusting his accounts, but no charge or expenditure of said Overseer of the Poor shall be audited or allowed

by the Council unless upon the presentation of said voucher.

SEC. 279. That the said Overseer shall be provided with the folio book, well bound, wherein the name or names of all poor persons applying for relief and being ordered the same as aforesaid, shall be registered by him with the day and year when they were first admitted to relief, have weekly or other sum or sums of money allowed by the said order for their relief, and the occasion which brought them under the necessity, and no person or persons shall be entered into the said book or receive relief from the said Overseer without such order procured as aforesaid, and in case the said Overseer shall enter into the book and receive any such poor person or persons without such order, he shall forfeit all such money and goods paid and distributed to such poor person or persons; nor shall any allowance be made to him for the same in passing his accounts.

SEC. 280. That at the end of each month he shall make out and present to the Council at their first regular meeting thereafter, a full and true account of all moneys received and paid out by him during the month, and names of the persons relieved by him, and the amounts, whether in money or orders severally bestowed upon them and the balance, if any, remaining in his hands at the end of the month.

SEC. 281. He shall meet the Committee on Alms twice every week at such time and place as the said committee may from time to time appoint.

SEC. 282. He shall receive applications from persons seeking relief, and shall diligently and faithfully inquire into their circumstances and situations, and shall, under the advice and direction of the Committee on Alms, distribute such sums of money or such quantity of fuel or food to the poor of the City as their circumstances may require, and he shall perform such other duties as may be required of him by the Committee on Alms, and he shall keep a book wherein shall be recorded the name and residence of each applicant for charity and the orders

and directions relative thereto, which book shall at all times be subject to the inspection of any member of the Council.

SEC. 283. He shall take charge of all indigent sick persons, idiots and lunatics, and provide such temporary care and relief as in his judgment their circumstances may require, and shall cause inquiry to be made to ascertain their last place of legal settlement, and as soon as practicable, in case the place of legal settlement is other than the City of Hoboken, to cause them to be removed thereto.

CHAPTER XXIV.

RELATING TO THE INSPECTOR OF BUILDINGS AND THE CONSTRUCTION OF BUILDINGS.

SEC. 284. That the Common Council shall annually appoint in such a manner as they may determine, a majority of all the Council elected being necessary to a choice, an Inspector of Buildings, who shall perform such duties hereinafter mentioned.

SEC. 285. That such Inspector of Buildings shall exercise and make a careful inspection of all buildings in the course of erection, or any or all buildings undergoing repairs or alterations, and all buildings, church structures and their several parts which have become dangerous or unsafe, and to see and compel proper precautions to be taken for the protection of life and property.

SEC. 286. He shall have charge of the erection of all public buildings, for all repairs of all work done on all public buildings owned by the City, and certify to the correctness of all bills incurred in the erection and repairing of any such buildings.

SEC. 287. He shall keep a record of his proceedings and a permit book and complaint book which shall be open at all times to public inspection.

SEC. 288. That before any person or persons shall erect, move, raise or commence to erect, move or raise

any building or buildings the person or persons intending or desiring to erect, move or raise any building or buildings shall first apply for and obtain from the said Inspector of Buildings a permit in writing, and shall pay for such permit the sum of ten dollars, and any failure to comply with the requirement shall be punished by a fine not exceeding fifty dollars.

SEC. 289. Every application for a permit for the erection of any buildings or the alteration thereof shall be in writing, signed by the person proposing to make the alteration or erect the building, or his agent, which shall state where the building is proposed to be erected and the description thereof, or the alteration proposed to be made, and a copy of the plans and specifications of the said building to be erected shall accompany the said application and shall be filed by the said Inspector in his office as a public record. Alterations estimated to cost more than one thousand dollars shall be accompanied by drawings and specifications, as in the case of a new building, and shall be filed with the said application as in the case of a new building.

SEC. 290. He shall have power to order the removal or demolition of any building or structure or part thereof left standing after a fire, explosion, storm or other calamity, if in his judgment the same is dangerous and liable to fall from its situation or condition, jeopardizing life and property.

SEC. 291. That said Inspector shall have power and it shall be his duty to inspect all buildings or structures or parts thereof which shall be complained of as dangerous, unsafe or liable to fall, and to order the repair or removal of any part thereof, if in his judgment the same is necessary for the protection of life and property.

SEC. 292. He shall serve a written notice upon the owner or agents of any such building or structure so complained of, commanding him, her or them to repair or remove the same, as the case may be, within twenty-four hours thereafter if in his judgment such a necessity exists, within time not exceeding five days if in his judg-

ment such time is reasonable and just. In case of failure of the owner or agent to comply with said notice, to immediately upon the expiration of the time so allowed to make complaint before the Recorder or acting Recorder of the City, and the penalty prescribed for such failure shall be fifty dollars, and a further penalty of ten dollars for every day the said failure shall continue.

SEC. 293. That it shall not be lawful for any person or persons, corporation or company hereafter to erect or cause to be erected any frame or wooden building or frame or wooden additions to buildings already existing or hereafter to be built in any portion of the City of Hoboken east of a line distant one hundred feet west of the westerly line of Willow avenue to the easterly boundary line of the City, and from the northerly to the southerly boundary line of the City.

SEC. 294. That it shall not be lawful to move or cause to be moved any wooden building to any lot or plot of ground.

SEC. 295. That any violation of the provisions of either of the aforesaid sections shall subject the offender to a fine of ten dollars for every day that such building or buildings shall be allowed to remain in such district after forty-eight hours' notice from the said Inspector of Buildings to the owner of such building or the person constructing such buildings to remove the same.

SEC. 296. For the purpose of properly construing this ordinance a frame or wooden building shall be considered to be any building of which the front, back or either side is constructed of wood or is supported by a wood frame, whether sheeted outside with metal or not.

SEC. 297. That it shall not be lawful hereafter to erect in the City of Hoboken a frame or wooden building of a greater height than forty-five feet, measured from the curb line of the street to the highest point of said building, under a penalty of fifty dollars for every day that such building is allowed to remain above the height hereinbefore specified, after notice in writing from the Inspector of Buildings served upon the owner or owners

thereof, to remove the same within forty-eight hours.

SEC. 298. That the walls of all brick buildings hereafter to be erected in the City of Hoboken, and the foundations when of brick, of all frame buildings hereafter to be erected shall not be less than twelve inches in thickness, under a penalty of fifty dollars for each and every day that such foundation and wall is allowed to remain standing after written notice of twenty-four hours from the said Inspector of Buildings served upon the owner or owners thereof or the contractor in charge to remove the same.

SEC. 299. That in all buildings hereafter to be erected there shall be constructed in the roof thereof a bulkhead or a scuttle opening of not less than three feet square, inside measurement, properly fastened with a hook attached to the scuttle top so that the same may be removed from the inside by any person seeking access to the roof, and there shall also be provided by the owner of every building hereafter to be erected, a ladder of sufficient strength and kept in proper repair leading to the roof through said scuttle opening, which ladder shall be at least two feet wide, provided with a sufficient hand rail and shall reach within twelve inches of the roof of said building, and in buildings already erected there shall be a ladder of proper strength and kept in proper repair leading to the said scuttle opening and reaching within twelve inches of the roof, which ladder shall be permanently fixed and adjusted in the place aforesaid so that the same will be at all times ready for use in case of fire; that the opening between the ceiling and the roof of all scuttle shafts in buildings now erected or hereafter to be erected shall be effectually closed up with boards or plaster so as to prevent the entrance of smoke into the said scuttle-way in case of fire.

SEC. 300. That in every building hereafter to be constructed containing dumb waiters, elevators or light shafts, the same shall be constructed of fire proof material, which material must be approved of by the Inspector of Buildings in accordance with the ordi-

nances regulating his duties.

SEC. 301. That in all buildings hereafter to be constructed with party walls, such party walls shall be carried at least eighteen inches above the roof beams of such buildings.

SEC. 302. That in case of the violation of any of the provisions of the preceding sections of this ordinance commencing with section 299 and concluding with section 301 inclusively, the Inspector of Buildings shall cause written notice of such violation to be served on the owner or owners, contractor or person in charge of any building or buildings in which such violation of the provisions of this ordinance is allowed to exist, to cause the same to be removed or to desist from the prosecution of the work within twenty-four hours from the service of such notice upon him or them.; and in the event of the failure or refusal of such person or persons to comply with the requirements of such notice, the said Inspector of Buildings shall make written complaint before the Recorder or the acting Recorder of the City, setting forth the facts and the violation of law complained of, and the Recorder or the acting Recorder of the City shall proceed thereafter upon such complaint as in other cases for violation of City ordinance, and if the person or persons complained of be adjudged guilty of the charge they shall be fined by said Recorder or acting Recorder the sum of fifty dollars.

SEC. 303. That for the purpose of complying with the duties and requirements of his office as established by law, and for the purpose of properly enforcing the provisions of this and other ordinances concerning his duties, the Inspector of Buildings shall have the right and it shall be his duty whenever he deems it necessary, to enter any public hall or theatre and any and all parts thereof at any reasonable time, especially when occupied by the public, or may enter any dwelling house between the hours of nine o'clock in the morning and five o'clock in the evening in order to properly judge of and discharge his duties, and it shall be unlawful for any person or

persons to refuse admission to such officer or to place any obstacle in the way of the enforcement and performance of the duties of his office.

SEC. 304. It shall be lawful for the Committee on Public Grounds and Buildings of the Council at any time to grant permission to any owner of real estate to erect for temporary purposes only, a frame or wooden structure not higher than one story, subject to the supervision of the Inspector of Buildings.

SEC. 305. If any building shall project beyond the range of the street, road or public grounds as laid down and ascertained by the City Surveyor, the person erecting the same shall within twenty days after notice thereof, if given by a City Surveyor, remove such building to the range so laid down as aforesaid, under the penalty of fifty dollars, and a further penalty of five dollars for every twenty-four hours during which such building shall continue to project.

SEC. 306. That whenever excavations hereafter commenced for building or other purposes on any lot or piece of land shall be intended to be carried to the depth of more than eight feet below the curb or grade of the street, and there shall be any party or other wall wholly or partly on adjoining lands and standing upon or near the boundary lines of said lot, the person causing such excavations to be made, if afforded the necessary license, to enter on the adjoining land and not otherwise, shall at all times from the commencement until the completion of such excavation at his own expense preserve such wall from injury and support the same by a proper foundation, that it shall remain as stable as before such excavations were commenced.

SEC. 307. All brick or frame buildings shall have foundation walls to be laid on earth or a level surface of rock or concrete. Where solid earth is not obtainable foundation walls shall be supported by piles sufficient in number to properly support the wall. All foundations shall be built of brick or stone.

SEC. 308. Before the walls of buildings are carried

up above the foundation walls, all cellars shall be connected with the street sewers. Should there be no sewer in the street or if the cellar be below water level, then provision shall be made by the Inspector of Buildings to prevent accumulations of water in the cellar.

SEC. 309. All flues or party walls shall be at least four inches from centre line of said wall, and all chimneys shall have walls at least eight inches built of brick, excepting where terra cotta or fire clay linings are used, in which case four inches of brick may be omitted. Chimney flues shall be at least eight inches by eight inches, interior measurement; and no chimney shall be lower than five feet above the top of the roof of the building of which it forms a part. All hearths for fire places shall rest on trimmer arches of brick, concrete or tile at least four inches from the chimney breast. The backs of all fire places shall not be less than eight inches thick. Chimneys with flues larger than two hundred and fifty square inches and less than five hundred square inches shall have surrounding walls not less than twelve inches of brick; such walls from a point ten feet above the inlet funnel shall have an extra lining of four inches fire brick laid in fire clay, or in place of fire brick, fire clay flue lining. Top of such chimneys to be at least eight feet above the highest part of any building within fifty feet of such chimney. Chimneys with flues of more than five hundred square inches and less than eight hundred square inches shall not have less than twelve inch walls. The wall, from a point two feet below to a point fifteen feet above the inlet funnel, shall have an extra lining of four inches of fire brick laid in fire clay, or in place of fire brick, fire clay flue lining. The top of such chimney to be at least ten feet above the roof or seven feet above the highest part of the roof of any building within fifty feet of such chimney. Chimneys with more than eight hundred or less than eighteen hundred square inches shall have surrounding walls not less than twelve inches thick and shall have four-inch lining of fire brick laid in fire clay, with four-inch air space opposite the inlet funnel.

The lining to commence four feet below the inlet and extend twenty feet above the same, to have opening from flues into the air space at top and bottom of lining. The tops of such chimneys shall be built not less than twelve feet above the roof and not less than ten feet above the roof of any building within the radius of fifty feet of such chimney. Isolated chimneys shall have hollow walls in addition to the requirements herein set forth.

In business or manufacturing buildings metallic chimneys or smoke-pipes shall not be used in such manner as to pass through the floors or roofs of the same, unless such metallic smoke-pipes or chimneys are enclosed in brick or tile walls with an air space between the enclosing wall and the pipe from bottom to top inside of said building, where such metallic chimney or smoke-pipe passes through the roof only, it shall be separated from the woodwork of such roof by at least twelve inches of incombustible materials.

Where smoke-pipes pass through a wood or plastered stud partition or furred wall or floor, they shall be surrounded by a body of hard incombustible material measuring at least four inches around such smoke-pipe, or they shall be surrounded by a sheet metal thimble made of two concentric rings of sheet metal at least one inch apart, and the entire thimble so constructed that there will be a circulation of air between the two rings forming the same.

Smoke-pipes of less than twelve inches diameter shall be kept at least six inches from any woodwork, unless the same is protected by a shield of four-inch porous terra cotta, in which case the distance shall not be less than six inches.

Smoke-pipes of larger area than six feet square shall be kept at least three feet from any woodwork, unless the same is properly protected by a shield of two-inch porous terra cotta, in which case the distance shall not be less than eighteen inches.

SEC. 310. The owner or owners of any factory or factories shall cause the smoke-stack or chimney con-

nected with their said factory or factories to be covered and protected by a covering of wire or other material so that sparks or embers can not issue therefrom to the injury and damage of surrounding property.

SEC. 311. Any owner or owners not covering and protecting their said chimneys as aforesaid shall upon being notified by the Inspector of Buildings to so cover and protect the same, and if he fails to do so within one week from the receipt of said notice, he or they shall be liable to a fine not to exceed twenty-five dollars.

SEC. 312. All steam pipes passing through floors, ceilings or partitions of combustible material shall be protected by a metal tube one inch larger in diameter than the pipe. All wooden boxes or casings enclosing steam pipes, and covers to recesses, shall be lined with iron or tin plate. All cold-air boxes shall be made of hard, incombustible material for a distance of at least three feet from the furnace.

Hot-air pipes in wood partitions or between joists must be made of metal. Such pipes are to be made with tight joints and to be securely fastened to the partitions. The openings in floors for hot-air registers shall be surmounted with borders of some incombustible material not less than two inches wide.

Where the air conveyed to the pipes is heated in the ordinary hot-air furnace by direct contact of the air with the fire-box the material used for these double ducts, pipes and register boxes shall be bright tin.

Where the air is heated with hot water or steam pipes any other sheet metal may be used.

SEC. 313. All brick laid in non-freezing weather shall be wet immediately before being laid. The brick used in all buildings shall be good, merchantable, well-burned brick. The bond of brick work shall be formed by laying one cross of headers to every six courses of stretchers. The sand used for mortar in all buildings shall be clear sharp sand. The loads allowed on brick work including its own weight shall not be greater than as follows:

Best hard burnt brick in cement mortar, two hundred

and fifty (250) pounds per inch;

Best hard burnt brick in lime mortar, two hundred (200) hundred pounds per inch;

Ordinary burnt brick in lime mortar, one hundred and fifty (150) pounds per inch.

Where hollow tile blocks are used for building partitions or as enclosing walls, the joints shall be well filled with mortar and the effective bearing part of the tiles shall not be loaded more than eighty pounds to the square inch for hard fire clay tiles; nor more than sixty pounds per square inch for hard ordinary clay tiles; nor more than forty pounds per square inch for porous tiles. All stones used for the facing of any building and known as Ashler, shall not be less than four inches thick. Stone Ashler shall be anchored to the backing. The front, rear, side and party wall shall be properly bonded together or anchored to each other by suitable wrought iron anchors.

The walls and piers of all buildings shall be properly bonded and solidly put together with close joints filled with mortar. They shall be built to a line and be carried up plumb straight. The walls of each story shall be built the full thickness to the top of the beams above.

SEC. 314. All bearing piers are to be built of dimension stone or of brick, shall not be higher than eight times the least width of the base, nor shall they have a smaller cross section than twelve inches by twelve inches.

SEC. 315. The outside walls of all public halls and theatres and other buildings, the roofs or ceilings of which are carried on trusses or girders of a span of fifty feet or more, shall have walls as follows:

Walls less than twenty-five feet high and not less than twenty inches thick; if more than twenty-five feet and less than forty-five feet, the walls shall not be less than twenty-four inches thick; if more than forty-five feet and less than sixty feet, the walls shall not be less than twenty-eight inches thick; if the walls are over sixty feet and less than seventy-five feet, the walls shall not be less than thirty-two inches; if more than seventy-five

feet and less than ninety feet high, the walls shall not be less than thirty-six inches. An increase of four inches in thickness of walls shall be made in all cases where walls are over one hundred feet long without cross walls of equal height. For rooms less than fifty feet wide the thickness of walls before given may be reduced four inches.

SEC. 316. In all buildings having a basement or first story or both, designed for business purposes, and the upper stories for dwelling, when the walls are less than sixty feet long between cross walls, the thickness of such walls, if of brick, shall not be less than the number of inches given in the following table:

Outside Party and Division Walls.	Base ment Stone	Brick	1st story	2d story	3d story	4th story	5th story	6th story	7th story	8th story	9th story	10th story
1 story	18	12	12									
2 stories . . .	18	12	12	12								
3 stories . . .	18	12	12	12	12							
4 stories . . .	20	16	12	12	12	12						
5 stories . . .	24	16	16	16	12	12	12					
6 stories . . .	28	20	16	16	16	12	12	12				
7 stories . . .	28	24	20	16	16	16	12	12	12			
8 stories . . .	28	24	20	20	20	16	16	12	12	12		
9 stories . . .	32	24	24	20	20	20	16	16	12	12	12	
10 stories . . .	32	28	24	24	20	20	20	16	16	12	12	12

The thickness of brick walls for dwellings shall not be less than the number of inches given in the following table.

Dwellings. Brick Walls for	Base ment Brick Stone	1st story	2d story	3d story	4th story	5th story	6th story	7th story	8th story	9th story	10th story
1 story	18	12	12								
2 stories ...	18	12	12	12							
3 stories ...	20	12	12	12	12						
4 stories ...	20	12	12	12	12	12					
5 stories ...	24	16	16	12	12	12	12				
6 stories ...	24	20	16	16	12	12	12	12			
7 stories ...	28	24	20	16	16	12	12	12	12		
8 stories ...	28	24	20	20	16	16	16	12	12	12	
9 stories ...	28	24	20	20	20	16	16	16	12	12	12
10 stories ...	32	28	24	20	20	20	16	16	16	12	12

If any horizontal section of any part of any bearing wall in any building shows more than twenty-five per cent. area of flues and openings, the said wall shall be increased four inches in thickness for every ten per cent. or fraction thereof of flue or opening area in excess of twenty-five per cent.

SEC. 317. No recess for water, sewer or other pipes shall be made in any wall more than one-third of its thickness, and the recesses around said pipes shall be filled up with solid masonry for the space of one foot at the top and bottom of each story.

SEC. 318. The height of any basement used for dwelling purposes or for sleeping apartments to be not less than eight feet, and the height of ceiling of same above grade to be not less than four feet. No room in any dwelling, lodging or tenement hereafter built shall be considered habitable or used as a habitation, unless it is at least eight feet six inches in height in the clear.

SEC. 319. Ceilings in basements or cellars in all buildings shall be lathed with wire lathing and plastered three coats with fireproof plaster, or covered with

any other fireproof material approved of by the Inspector of Buildings.

SEC. 320. All wooden beams shall be trimmed away from the flues, whether the same be a smoke, air or any other flue, the trimmer to be at least eight inches from the inside face of the flue, and the header two inches from the outside face of the wall. Ends of all wooden floors or roof beams shall enter the wall to the depth of four inches, unless the wall is properly corbeled out four inches, in which case brick work is to extend to the top of beams. The ends of all beams shall be so shaped that in case of any deflection or breaking they may fall out without doing any or much injury to the brick wall. All beams entering any stone or brick wall shall be splayed one-quarter inch to one inch shorter at top edge. All wooden floor or roof beams shall be properly bridged with cross-bridging and the distance between bridging or bridgings and wall shall not be more than eight feet.

Each tier of beams shall be anchored to the side, front, rear or party walls at intervals of not more than eight feet apart with good, strong wrought iron anchors. The ends of all beams resting on iron girders shall be butted together to end with wrought iron straps. They may lap each other at least twelve inches, to be well spiked or bolted together when lapped.

Every pier and wall, front or rear, shall be well anchored to the beams with wrought iron anchors, which anchors shall hook on the second beam. Floor or roof beams in all buildings, brick or frame, shall not be less than three inches by eight inches. Corner and centre posts of all frame buildings over two stories in height, unless balloon frame, shall not be less than four inches by ten inches.

SEC. 321. Floors shall be of sufficient strength in all their parts to carry the following superimposed loads, in addition to the weight of the materials of which they are composed, viz: per square foot:

Dwellings, tenement houses, lodging houses, apartment houses and hotels, seventy pound loads,

On schools, seventy-five pounds, floor and roof;

On office buildings, seventy pounds, floor and roof;

On churches and theatres, eighty pounds, floor and roof;

On public halls, stores and factories, one hundred to one hundred and fifty pounds, floor and roof;

On drill rooms and riding schools, two hundred to two hundred and fifty pounds, floor and roof.

Floors of warehouses and storage houses shall be proportioned to the load they are to carry.

The roofs of all buildings shall be proportioned to bear safely thirty pounds upon every superficial foot of their surface in addition to the weight of the materials composing the same.

SEC. 322. The walls and skeleton frame work of every building during the erection or alteration thereof shall be strongly braced from the beams of every story, and when required shall also be braced from the outside until the building is enclosed. In no case shall any wall or walls of any building be carried up more than two stories in advance of any other wall, except by permission from the Inspector of Buildings.

SEC. 323. Every temporary support placed under any structure wall, girder or beam during the erection, finishing, alteration or repairing of any building or structure or any part thereof, shall be of sufficient strength to safely carry the load to be placed thereon.

SEC. 324. In all buildings hereafter erected or altered, where any iron or steel column or columns are used to support a wall or part thereof, whether the same be an exterior or interior wall, the said column or columns shall be so constructed as may be approved by the Inspector of Buildings. Iron posts or columns with one or more open side or backs shall have solid iron plates on top of each to prevent the passage of fire or smoke through them from one story to another, excepting where pierced for the passage of pipes. All cast iron, wrought iron and steel columns shall have their bearings faced smooth and at straight angles to the axis of

the columns, and when one column rests upon another column they should be securely bolted together. Wooden columns supporting wooden girders and wooden floor and roof beams, in all buildings more than two stories high, shall have iron caps and base plates not less than one inch thick, or iron post-caps.

SEC. 325. Cast iron used in the shape of lintels or brackets shall be so proportioned that the compression stress upon the same shall not exceed 13,500 pounds per square inch, and that the tensil stress shall not exceed 3,000 pounds per square inch.

All girders, beams, brackets and trusses made of steel shall be so proportioned that the maximum fibre stress will not exceed 16,000 pounds per square inch, or that, if made of iron, the maximum fibre stress shall not exceed 12,000 pounds per square inch.

SEC. 326. Any person or persons placing water tanks of iron or other material on the roof of any building, where said tanks are to hold more than five hundred gallons of water, for fire protection or other purposes, such person or persons shall submit plans and specifications for said tank and the supporting of the same to the Inspector of Buildings, and remain on file in the office of the Inspector of Buildings. Said plans and specifications to be approved by the Inspector of Buildings before permit is issued for the erection of the same. Upon completion of such tank or tanks and supports, and before the using of the same, they shall be inspected by the Inspector of Buildings and shall not be used until a certificate is issued by the Inspector.

SEC. 327. Any person or persons desirous of utilizing the space under the sidewalk in front of any building owned by him, her or them, shall construct a sufficient brick or stone wall not less than one-fourth of the height in thickness at the base, tapering gradually to not less than sixteen inches at the top, to retain the roadway of the street, and shall extend the sidewalk divisions and party walls of each building under the sidewalk to such curb walls. Said walls to be laid in cement mortar.

The sidewalks in all such cases shall be supported by walls, iron beams and columns. The arches turned between the beams in hollow sidewalks shall sustain a safe load of not less than three hundred pounds per square foot.

The Inspector of Buildings shall in all cases of the erection of new buildings require the sidewalk in front of such buildings to be made as high as the established grade thereof, and in no case shall he allow a sidewalk to be laid above or below such established grade. The rise of any artificial sidewalk, from curb line to building line, shall not be more than one inch to every five feet.

SEC. 328. Whenever the distance between doors and windows of business buildings on opposite sides of alleys or courts shall be thirty feet or less such door or window openings shall be provided with metal covered shutters or others approved by the Inspector of Buildings.

SEC. 329. Stairways in public halls and theatres shall be in width equivalent to eighteen inches for every one hundred persons of the seating capacity of such building. No such stairway in any such building shall be less than five feet wide in the clear. No such stairway shall ascend to a greater height than eleven feet without a level landing. All stairways shall have a railing on either side.

Distinct and separate places of exit and entrance shall be provided for each gallery.

All aisles or passageways in said buildings shall be kept free from camp stools and chairs, sofas and other obstructions.

All doors shall open outward and shall not be so placed so as to reduce the width of the passage above required. All doors to have fastenings on the inside only. Fastenings to be so arranged as not to obstruct or prevent instant and easy egress through same.

All exits in public halls and theatres shall have the word "Exit" in letters applied to the auditorium side and to the stage side of every such exit.

Emergency exits and stairways shall be provided out-

side of the walls of all public halls the seating capacity of which is more than fifteen hundred persons, and of all theatres the seating capacity of which is more than eight hundred persons. No emergency stairways and exits shall be less than three feet in width.

SEC. 330. Stairways and steps may be built leading down to the basement of any building, but shall not extend into the sidewalk more than three feet where the sidewalk is not more than twelve feet in width, and not more than three feet six inches where the sidewalk is more than twelve feet in width; provided that said stairway or steps shall be protected by metal posts and rails.

SEC. 331. That it shall be hereafter lawful for any person or persons who may erect any building or buildings upon his, her or their lot or lots fronting upon any street in said City (excepting Court street), to build, construct, place and put bay windows in and upon such building or buildings so erected as aforesaid, provided, that such bay windows so constructed as aforesaid shall not project to a greater distance than three feet beyond the building line, the said three feet to be measured from the line of said building or buildings so erected as aforesaid.

SEC. 332. That all buildings now or hereafter erected in which twenty or more persons congregate or are employed, temporarily or otherwise, above the first ground floor thereof shall have one or more, as the proper authority shall direct, external wrought iron fire escapes of such dimensions and character and subject to regulation and construction as the said proper authority shall designate.

SEC. 333. An outside fire escape to consist of iron balconies three feet wide, taking in one or more windows at every story, and connecting said balconies by iron stairs, and provided with an iron drop ladder to lead from the balcony at the first story to the ground, all to be constructed as follows:

SEC. 334. Brackets must not be less than $\frac{1}{2} \times \frac{3}{4}$ inch wrought iron, placed edgewise, or $1\frac{1}{4}$ inch angle iron well braced and not more than three feet apart; and the braces

to brackets must not be less than $\frac{3}{4}$ inch square wrought iron and must extend at least two-thirds of the width of the respective brackets or balconies. In all cases the bracket must go through the wall and the end be turned down three inches, or in cases of houses already built the ends must be secured by a wrought iron washer six inches in diameter with screw end and nut to bracket.

SEC. 335. Bottom rails must be $\frac{3}{8} \times 1\frac{1}{2}$ inch wrought iron well leaded into the wall; the top rails of balcony must be $\frac{3}{8} \times 1\frac{1}{2}$ inch wrought iron, and in all cases must go through the walls or studding and be secured by nuts and 4 inch washers; the filling in bars must not be less than $\frac{1}{2}$ inch round or square wrought iron placed not more than six inches from centres and well riveted to the top and bottom rails, the latter to be riveted or screwed to the ends of brackets.

The height of balcony railings must not be less than two feet nine inches and the ends of balconies shall under no circumstances extend more than nine inches over or beyond the brackets.

The openings for stairs in all balconies shall not be less than twenty inches wide by thirty-six inches long.

The flooring of balconies must be of wrought iron $1\frac{1}{2} \times \frac{3}{8}$ inch slats placed not over $1\frac{1}{4}$ inches apart and secured and riveted to iron battens $1\frac{1}{2} \times \frac{3}{8}$ inches not over three feet apart, or to angle irons connected with the brackets.

SEC. 336. The stairs in all cases must be eighteen inches or more wide, as the Council may direct, and constructed of $\frac{1}{4} \times 3\frac{1}{2}$ inch wrought iron, sides or strings; steps may be of cast iron of the same width as strings, or $\frac{5}{8}$ inch round wrought iron double rungs well riveted to the strings.

The stairs must be secured to the iron brackets on top or bottom or be secured to extra cross-bars; all stairs must have $\frac{3}{4}$ inch wrought iron hand rails well secured and braced.

Drop ladders from lower balconies shall not be less than fourteen inches wide and shall be made of $2 \times \frac{3}{8}$ inch sides and $\frac{5}{8}$ inch rungs of wrought iron, and in no case

shall a drop ladder be over twelve feet in length.

SEC. 337. In all school buildings the outside fire escapes must be constructed as regular stairs, the balconies forming the landings; the stairs must be so constructed that the rise of steps be not more than six inches and the width of tread in proper proportion; the balconies must be accessible through doors opening out or rising sash windows reaching down to floors.

That it shall be the duty of the Inspector of Buildings of the City of Hoboken, whenever directed so to do by the Mayor and Council, to give notice in writing to the owner or lessees or the person having charge or control of said building or buildings, of the requirements or the said act of the legislature mentioned and referred to in this ordinance, and also of the requirements of this ordinance, and to set forth in said notice the number, kind and manner in which said external fire escape or escapes is or are to be erected as required by this ordinance, and the penalty which any such owner, lessee or person having charge or control of said building or buildings will incur by refusal or neglect to comply with said law and this ordinance within ninety days after service of such notice.

That any violation of any provision of this ordinance shall subject the offender, on complaint of the Inspector of Buildings before the Recorder or acting Recorder, to a fine of fifty dollars for every violation.

SEC. 338. That before proceeding with the erection, alteration, raising or moving of any building or part of any building or platform, staging or flooring used for standing or sitting purposes, or the undermining of any such sidewalk permission shall be first obtained from the Inspector of Buildings by the owner, his agent or lessee, and it shall be unlawful to proceed with the erection, alteration, raising or moving of any building or part of any building or any such platform, staging or flooring, or the undermining of any sidewalk in the City of Hoboken, unless permit shall first have been obtained from the Inspector of Buildings.

The person or persons desiring such permit shall pay

the following fees:

For a permit for the erection of a building costing less than one thousand dollars, \$2;

For a permit for the erection of a building costing from one thousand to five thousand dollars, \$5;

For a permit for the erection of a building costing from five thousand to ten thousand dollars, \$7;

For a permit for the erection of a building costing from ten thousand to fifteen thousand dollars, \$10;

For a permit for the erection of a building costing more than fifteen thousand dollars, one dollar additional for every one thousand dollars more of the cost;

For a permit to move a building from its lot to any other lot or plot of ground, \$5;

For a permit to raise a building more than eight feet, five dollars.

SEC. 339. That in all brick buildings in which there are elevators, dumb-waiters and light-shafts to be constructed the same must be constructed entirely of brick or iron, and the doors leading to such elevator or dumb-waiter shafts must be constructed of iron; the walls of said elevator, dumb-waiter and light-shafts to be constructed shall be built at least nine inches above the roof of the building, covered with a metal skylight or a metal covered lid.

That in all frame buildings in which there are elevators, dumb-waiters and light-shafts to be constructed, the same must be constructed in the following manner: In between the studding of the construction four inches of brick work must be built, laid in good mortar, and the inside of such elevators, dumb-waiters and light-shafts to be lined with sheet iron. The shaft to reach at least nine inches above the roof of the building, covered with a metal skylight or metal covered lid. The doors leading to said elevator and dumb-waiter shafts to be covered with sheet iron.

SEC. 340. That on all frame buildings hereafter erected the side walls of same must be constructed in the following manner: The studding of both side doors from the

foundation sill to the top of the roof beams must be filled in with four inches of brick work laid in good mortar. Any failure to comply with the requirements of this section shall be punished by a fine not exceeding fifty dollars.

SEC. 341. Every application for a permit for the erection of any building or the alteration thereof shall be in writing, signed by the person proposing to make the alteration or to erect the building, or his agent, which shall state where the building is supposed to be erected, the description thereof of the alterations proposed to be made, and the estimated value of the building and cost of alteration on such buildings to be verified by the affidavit of applicant, where required by the Inspector of Buildings, and a copy of the plans and specifications of said building to be erected or alterations to be made on buildings shall accompany the said application and shall be filed by the Inspector of Buildings in his office as a public record. Any failure to comply with the requirements of the above section shall be punished by a fine not exceeding fifty dollars.

SEC. 342. That said Inspector of Buildings shall have power to order the removal or demolition of any building, buildings, structures and parts thereof which by reason of weakness, settling or insufficiency of the walls or foundation thereof, or left standing after a fire, explosion, storm or other calamity, if in his judgment the same is dangerous or liable to fall from its situation or condition, jeopardizing life or property. He shall have power and it shall be his duty to inspect all buildings and structures and parts thereof which shall be in his judgment dangerous, unsafe or liable to fall, and to order the repair or removal of any part thereof, if in his judgment the same is necessary for the protection of life and property.

SEC. 343. That he shall serve a written notice upon the owner, agent, lessee, corporation or company of any such building, buildings, structures or parts thereof so complained of, commanding him, her or them to repair

or remove the same, as the case may be, within twenty-four hours thereafter, if in his judgment such necessity exists, or within five days if in his judgment such necessity does not exist.

In case of failure of the owner, agent, lessee, corporation or company to comply with said notice immediately upon the expiration of the time so allowed, the said Inspector shall make complaint before the Recorder or acting Recorder of the City of Hoboken of such failure, and the penalty for such failure shall be fifty dollars, and a further penalty of ten dollars for every day the said failure to obey such notice shall continue.

SEC. 344. That if any such owner, agent, lessee, corporation or company can not be found or are beyond the jurisdiction of such Recorder or acting Recorder, said notice shall be affixed to the premises; and upon refusal or neglect to comply with said notice by the owner, agent, lessee, corporation or company, the said Inspector of Buildings shall proceed to repair or remove such dangerous buildings, structures and parts thereof if in his judgment the same is necessary, and the expense thereof shall be paid by the Council from the Contingent Fund, and the amount so paid by the Council shall be recovered according to law as a debt due from the owner of such building or structure to the Mayor and Council.

SEC. 345. That if any such owner, agent, lessee, corporation or company being within the jurisdiction of the Recorder or acting Recorder, and being served with said notice, shall fail to comply therewith, the Inspector of Buildings shall immediately, if in his judgment such necessity exists, repair or remove such dangerous buildings, structures or parts thereof, and the amount so paid shall be recovered according to law as a debt due from the owner of such building or structure to the Mayor and Council; but such action of the Council shall not relieve such owner, agent, lessee, corporation or company from liability to any fine previously incurred.

SEC. 346. It shall be the duty of the Inspector of Buildings to notify the tenants in buildings declared un-

safe to vacate said premises, giving them such time as in his judgment he deems wise. If, after the expiration of such time allowed by the Inspector of Buildings such tenants refuse to vacate said premises, said Inspector of Buildings shall make complaint to the Chief of Police or acting Chief of Police, who shall immediately have such tenants removed.

SEC. 347. Boiler rooms and smoke-houses which may hereafter be constructed shall be built throughout of incombustible material. All the openings to such boiler rooms and smoke-houses shall have shutters and doors of metal, or of wood covered on both sides and edged with metal in a manner approved by the said Inspector of Buildings. Any failure to comply with the requirements of this section shall be punished by a fine not exceeding fifty dollars, and a further penalty of ten dollars for every day the said failure shall continue,

SEC. 348. Ladders to scuttles in all new buildings hereafter erected shall be constructed of iron, the same as the ladders of fire escapes. Any failure to comply with the requirements of this section shall be punished by a fine not exceeding ten dollars.

SEC. 349. Any person or persons placing any incumbrance on the balconies of fire escapes shall subject the offender, on complaint of the Inspector of Buildings before the Recorder or acting Recorder, to a fine of ten dollars for every violation.

CHAPTER XXV.

RELATING TO THE ERECTION OF TELEGRAPH POLES.

SEC. 350. No pole shall be hereafter erected in any street in this City by any telegraph company incorporated under any law of this State, unless the consent of the Mayor and Common Council to such erection shall be first obtained, and also the consent in writing of the owner of the soil in front of whose property said pole

or poles are proposed to be erected. No wire shall be stretched across any street of this City or laid under the soil of any public street without permission of the Common Council.

SEC. 351. All telegraph poles erected by any company organized under any law of this State and authorized to erect a telegraph line within the limits of the City of Hoboken shall be straight and free from imperfections; and in length shall be not less than thirty-five feet; and in diameter not less than ten inches at the butt and five inches at the top. All poles of the length and dimensions aforesaid shall be set not less than five feet from the ground. Poles exceeding thirty-five feet in length shall be set six inches deeper in the ground for each additional ten feet in length; and all poles fifty feet long and over shall be in diameter not less than twelve inches at the butt and six inches at the top. No pole shall be set whose diameter shall exceed fifteen inches at the butt.

SEC. 352. All telegraph poles erected within the City shall be painted, and kept well painted in two colors, the first eight feet above the sidewalk in dark brown, the remaining portion in white. No bill posting, marking or signs of any kind shall be permitted on such poles, nor shall any horse or horses be hitched to the same. All telegraph poles erected under this ordinance shall have cast iron plates placed thereon, indicating by what company the same are erected.

SEC. 353. All telegraph wires shall be placed so as to hang not less than twenty feet above street crossings nor less than fifteen feet above the sidewalk over which they are drawn.

SEC. 354. All poles now erected which do not conform to this ordinance shall be removed upon not less than ten nor more than thirty days' notice, to be given by the Street Commissioner to the company controlling the same or its officers, and all poles erected in the place of those so removed shall conform to the provisions of this ordinance.

SEC. 355. All decayed or unsafe poles on any telegraph line shall be removed within twenty-four hours after notice given in writing by the Street Commissioner to the company or its officers in charge of said line.

SEC. 356. No wire shall be attached to any pole erected by the City for fire alarm purposes without the permission of the Common Council.

SEC. 357. All poles erected under the provisions of this ordinance shall be set under the direction and supervision of the Street Commissioner, and the said Street Commissioner is hereby charged with the duty of enforcing a strict compliance with the terms hereof.

SEC. 358. Any person or company who shall violate any of the provisions of this ordinance shall, for every such violation, forfeit and pay the sum of ten dollars, to be recovered in the manner provided in the City Charter for the violation of City Ordinances.

CHAPTER XXVI.

CONCERNING LICENSES.

SEC. 359. The Mayor and Council of the City of Hoboken is hereby authorized to grant licenses, to be countersigned by the City Clerk, to so many and to such persons as they shall think proper, of good moral character, and otherwise qualified according to the provisions of this ordinance, and to incorporated companies to keep and use for hire, hacks, cabs, omnibuses, stages, carts, wagons, street cars, trucks, drays or other carriages or vehicles for the transportation of passengers or merchandise, goods or articles of any description within the City of Hoboken; and also to drivers, hackmen or cartmen of licensed vehicles other than the owners thereof; also to licensed musicians as hereinafter described; and also to bill posters, and also to erect and use bill-boards. The Common Council may from time to time grant license under the hand of the Mayor and the Seal of the City, attested by the City Clerk, to so many and such persons

as they shall think proper, of good moral character, and otherwise qualified according to the provisions of this ordinance, to carry on the trade or business or to act in the capacity of scavengers, hawkers, peddlers, licensed venders, auctioneers, pawnbrokers, junk shop keepers and junk dealers not having a permit and fixed place of business..

SEC. 360. All licenses granted for the purposes mentioned in this ordinance, except those granted to passenger railway companies for the use of street cars, shall expire on the first Monday of June next after the same shall be granted, and shall respectively state the purpose for which the same shall be granted, the number of the license and the location thereof, and the name of the person licensed. All such licenses may be renewed annually by the Mayor and Common Council, subject in all things to the same conditions, provisions and charges as in and for the original license.

SEC. 361. There shall be charged to each person licensed as aforesaid, and paid to the City Clerk for the use of the City on issuing the licenses mentioned in this chapter, the following sums:

For each hack, cab, omnibus, stage, carriage, cart, wagon, truck or dray, five dollars;

For each hawker or peddler, five dollars;

For each hawker, peddler or licensed vender with the privilege of using one wagon or cart, ten dollars;

For each auctioneer, twenty-five dollars;

For each pawnbroker, fifty dollars;

For each junk shop keeper, with the privilege of using one wagon or cart, ten dollars;

For each junk dealer, with the privilege of using one wagon or cart, ten dollars;

For each and every licensed musician, ten dollars;

For each bill-poster, ten dollars;

For each person carrying on the trade of selling beer in bottles, fifty dollars.

In addition to the payment of the above license fees each person shall pay to the City Clerk the sum of two

dollars as his fee for issuing such license.

SEC. 362. Whenever any license hereafter issued to the owner or driver of any hack, cab, omnibus or other carriage or vehicle for the transportation of passengers within the City of Hoboken, a badge containing the number of such license shall be given to such owner or driver, who shall wear the same in a conspicuous plate upon his person while engaged in such occupation.

SEC. 363. The said person so furnished with a badge shall deposit the sum of fifty cents with the City Clerk, which sum of money on the expiration of his license and the return of said badge to the City Clerk shall be returned to such person; and if such badge is not returned to the City Clerk within six months after the expiration of such license, such Clerk shall pay the money so remaining in his hands to the Comptroller, and the licensee shall forfeit the same.

SEC. 364. Any person so licensed who shall refuse or neglect to procure or wear the badge as aforesaid shall pay a penalty of five dollars for every such offense, and his license shall be revoked.

SEC. 365. Every person hereafter licensed as a vender, cartman, hackman, junk-man or scavenger shall, on procuring such license, obtain from the City Clerk two plates, to be furnished by the City, indicating the number of such license and the time during which the same shall be in force, and shall cause one of said plates to be immediately thereafter fastened by firmly screwing or nailing the same in a conspicuous place on each side of the truck, omnibus, stage, cart, wagon, dray or other carriage or vehicle so licensed; provided that one plate shall be firmly fastened in the lamp on each side of all the hacks, cabs, coupes and coaches, under a penalty of ten dollars for every day such carriage or vehicle shall be used or run without having such plates so fixed as aforesaid.

SEC. 366. Any person mutilating, disfiguring, loaning or selling or otherwise disposing of any plate or plates so furnished as aforesaid, shall pay a penalty of five

dollars for each and every offense.

SEC. 367. No person shall play upon or use for the purpose of making music, any instrument called or commonly known as a "hand organ" on the streets, avenues or public places in this City, without having first procured a license for that purpose. All such licensees shall be called "organ grinders" and licensed as such. Any person violating the provisions of this section shall forfeit and pay a penalty of twenty-five dollars for each and every violation thereof.

SEC. 368. Every person and every member of any band of musicians using either string or wind instruments, who shall play thereon from house to house and ask for or receive any contributions of money from people for so playing, shall be required to take out a license for the privilege aforesaid, and every person who shall play upon any string or wind instrument in the public street from house to house and ask or receive any contributions of money from people for so playing without first taking out a license, as hereinbefore provided, shall on conviction thereof forfeit and pay a penalty of fifty dollars for each offense.

SEC. 369. The City Clerk is hereby authorized and directed to furnish every person so licensed a shield or badge with the words "Licensed Musician" printed across the face thereof, which shield or badge shall be worn by the licensee in some conspicuous place upon his person. All such licensees shall be called "Licensed Musicians" and shall be licensed as such. Any person licensed as aforesaid, who shall fail or refuse to wear said shield or badge as aforesaid as above required, shall on conviction thereof forfeit and pay a penalty of fifty dollars.

SEC. 370. Every person licensed as a hawker or a peddler shall on procuring such license obtain from the City Clerk, who is hereby directed to furnish the same, a suitable badge or shield, and shall deposit with the City Clerk therefor a sum equal to the cost thereof, not to exceed the sum of one dollar; at the expiration of said license or on the surrender thereof such badge or shield

shall be returned by the licensee to the City Clerk, who shall thereupon return the deposit fee made therefor, and if any licensee shall fail so to return his said badge or shield he shall be subject to a fine or penalty of five dollars. Every person licensed as aforesaid shall, while engaged in his business as a hawker or a peddler, expose his badge or shield to public view by wearing the same upon some conspicuous place upon his person; if any person so licensed shall fail so to do his license shall thereupon be immediately revoked, and he shall be subject to a fine or penalty of five dollars.

SEC. 371. Any person who shall pursue or carry on the business or occupation of cartman, hawker, junkman, scavenger owner or driver of any hack, car, omnibus, stage, truck, carriage or vehicle used for the transportation of passengers, baggage, merchandise, goods and articles of any kind within the limits of this City, without first procuring a license therefor as provided by this ordinance shall forfeit and pay a penalty of ten dollars for each and every offense.

SEC. 372. Any person who shall pursue or carry on the trade or business of an auctioneer or pawnbroker, of this City without first procuring a license therefor as provided by this ordinance, shall forfeit and pay a penalty of fifty dollars for each and every offense.

SEC. 373. Any person who shall carry any bag, basket or other thing used in the collection of rags, paper and other articles commonly known as junk or engage in the collecting of such rags, paper and other articles, without having first obtained a license for such purpose as required by this ordinance, shall forfeit and pay a penalty of twenty-five dollars for each and every offense.

SEC. 374. Any person within the City engaging in the business of buying or selling old rope, old iron, brass, tin, copper, lead, rags, glass, paper and any other material commonly known as junk, and using in said business a wagon or cart, and not having a permanent and fixed place of business, without obtaining a license for that purpose as required by this ordinance, shall forfeit and

pay a penalty of twenty-five dollars for each and every offense.

SEC. 375. No person or persons, company or corporation shall post bills or erect, maintain or use bill-boards in or upon the streets of this City without a license first had and obtained for that purpose. No person or persons, company or corporation shall post any bill or bills or erect, maintain or use any bill-board in front of any premises unless the consent of the owner of the premises in front of which said bill is posted or bill-board erected, be first obtained. No bill-board license shall be granted unless the person applying therefor shall first file with the City Clerk the written consent of the owner of the premises in front of which said bill-board is erected. Every bill-board shall have conspicuously painted upon it the name or names of the person or persons, company or corporation owning and to whom a license has been issued for the same; and no person or persons shall post any bill upon any such board except the licensed owner of the same or his or her authorized agents.

Any person or persons, company or corporation violating any of the provisions of of this section shall forfeit and pay a penalty of fifty dollars.

SEC. 376. Every person to whom a license shall be granted as a scavenger or night scavenger shall enter into a bond with the Mayor and Common Council of the City of Hoboken, with good and sufficient surety to be approved by the Mayor and Council, in the penal sum of five thousand dollars, conditioned for the due observance of all ordinances of the City of Hoboken and ordinances and regulations of the Board of Health now existing or which may be hereafter adopted, respecting scavengers, night scavengers or the conduct of their business.

SEC. 377. No person shall carry on the business or act in the capacity of a scavenger or night scavenger or clean out or remove the contents of any sink or privy without being first licensed for that purpose by the Common Council, and no person shall keep and use or drive any scavenger cart or wagon of any night scavenger, cart

or wagon within the City of Hoboken without the same being licensed as aforesaid, under the penalty of fifty dollars for each and every violation of any of the provisions of this section.

SEC. 378. Every person licensed as a night scavenger as soon as licensed shall cause his name to be marked in plain letters, and the number to be marked in plain figures at least ten inches in length, in a conspicuous place on each side of the cart or wagon so licensed, under the penalty of ten dollars for every day he shall use or employ any such cart or wagon, without having the same so designated.

SEC. 379. It shall not be lawful for any person licensed as a night scavenger to hire out or sub-let any night scavenger cart or wagon to any person or persons not licensed to act in the capacity of night scavenger, under the penalty of twenty-five dollars for each and every violation of the provisions of this section.

SEC. 380. No night scavenger, collector of bones, or any person shall stop or leave any night scavenger wagon, cart or any other vehicle containing any offensive matter on any street, highway, avenue or alley for a longer period than is actually necessary to collect the material for which said wagon, cart or vehicle is then being used, nor leave any such wagon, cart or vehicle when not in use on any premises, street, avenue or alley where the same may become a nuisance to the occupants of other premises, under a penalty of not less than five dollars nor more than twenty-five dollars for each offense.

SEC. 381. Every license heretofore granted or which shall hereafter be granted may be suspended or revoked by the Mayor and Council on satisfactory cause appearing to them for so doing; and during such suspension, or after such license shall be revoked, such license shall be inoperative and of no effect; and if any person shall, after such revocation of his license, continue to pursue the business or calling for which he may have been licensed, he shall forfeit and pay the sum of twenty-five dollars for every offense, provided that the Mayor and

Council may, for good cause to them appearing, restore his license to any person whose license they may so revoke.

SEC. 382. It shall be the duty of the City Clerk to keep a register of all licenses granted by the Mayor and Common Council, wherein shall be stated the number of the license, the location thereof, to whom issued, and the date thereof. The licenses of the different classes of vehicles mentioned herein shall be kept by distinct members in separate parts of said register.

SEC. 383. Every hack, cab or other carriage for the transportation of passengers licensed as aforesaid, except omnibuses and stages, when driven or used in the night shall have fixed upon some conspicuous part of the outside thereof, two lighted lamps with plain glass fronts and sides, and the number of the license of such vehicle in plain, legible figures at least two inches in length, without any other figures or device, painted with black paint upon each of the said lamps in such a manner that the same may be distinctly seen and known; and the owner or driver of every hack, cab or other carriage as aforesaid which shall be driven or used in the night without complying with this provision shall severally forfeit and pay the sum of ten dollars for each and every offense.

SEC. 384. Every omnibus or stage for the transportation of passengers, licensed as aforesaid, when driven or used in the night, shall have fixed upon the inside of the front of such omnibus or stage a sufficiently lighted lamp or candle, and shall have the number of its license in plain, legible figures at least three inches in length, without any other figures or device, painted on each front side sash-light of such omnibus or stage in such a manner that the same may be distinctly known and seen by persons either inside or outside; and the owner or driver of any omnibus or stage as aforesaid which shall be driven or used in the night without complying with this provision, shall severally forfeit and pay the sum of ten dollars for each and every offense.

SEC. 385. No person shall hawk or peddle any mer-

chandise, goods or articles of any description within the City of Hoboken or shall drive any peddler's cart or wagon within said City without being licensed as a hawk-er, peddler or licensed vender by the Common Council as hereinbefore provided, under the penalty of ten dol-lars for each and every offense.

SEC. 386. All sales at public auction within the City of Hoboken shall be made by a licensed auctioneer.

SEC. 387. Every license which shall be granted to an auctioneer shall designate the house or place in which the person receiving such license shall be authorized to carry on such business; but on special occasions such licensed auctioneer may act as an auctioneer at any other place or places where his services may be required.

SEC. 388. No person or persons shall sell or attempt to sell at public auction within said City any goods, chat-tels or personal property whatever without being li-censed for that purpose by the Mayor and Council as hereinbefore provided, under the penalty of fifty dollars for each and every offense.

SEC. 389. Nothing contained in the foregoing pro-visions of this ordinance shall be construed to apply to the sale made at public auction under and by virtue of legal process.

SEC. 390. No license shall be granted to any person carrying on the business of a pawnbroker unless he shall be a resident of the City of Hoboken and a citizen of the United States.

SEC. 391. No person shall be licensed as a keeper of a junk shop unless he shall be a resident of the City of Hoboken and a citizen of the United States.

SEC. 392. Every person to whom license shall be granted as the keeper of a junk shop shall enter into bonds to the Mayor and Common Council of the City of Hoboken, with good and sufficient surety to be ap-proved by the Mayor and Council, in the penal sum of five hundred dollars, conditioned for the due observance of all such ordinances of the City of Hoboken as may be passed or enforced respecting junk shops and the keepers

of junk shops at any time during the continuance of such license.

SEC. 393. Every license which shall be granted to any keeper of a junk shop shall designate the house or place in which the person receiving such license shall be authorized to carry on said business.

SEC. 394. Every keeper of a junk shop so licensed as aforesaid shall be authorized to keep at such house or place what is commonly called a junk shop for the purpose and sale of junk, rags, old rope, old iron, brass, copper, tin, lead and other old metals, old bottles, old glass or old tinware, or any second hand article; and it shall be lawful for any keeper of a junk shop so licensed as aforesaid to keep, use and drive a cart or carts, wagon or wagons in the City of Hoboken for the purchase and sale of junk, rags, old rope, old iron, brass, copper, tin, lead and other old metals, old bottles, old glass or old tinware, provided that each cart or wagon so kept, used or driven by him shall be duly and separately licensed, and that every such cart or wagon shall be marked with his name, at length the street and number of his place of business, and the number of his license in plain letters and figures at least two inches in length.

SEC. 395. No keeper of a junk shop shall receive in the line of his business any article or thing by way of pledge or pawn; nor shall he loan or advance any sum of money on the security of any such article or thing, under the penalty of twenty-five dollars for each and every offense.

SEC. 396. No keeper of a junk shop shall receive or purchase any goods, article or thing whatsoever from any minor, apprentice or servant, under the penalty of twenty-five dollars for each and every offense.

SEC. 397. No keeper of a junk shop shall receive or purchase in the way of his business, any goods, article or thing whatsoever from any person or persons whomsoever, between the setting of the sun and the hour of seven o'clock in the morning, under the penalty of twenty-five dollars for each and every offense.

SEC. 398. Every keeper of a junk shop shall provide and keep a book in which shall be fairly written at the time of each purchase a description of the article so purchased, the name and residence of the person or persons from whom such purchase was made, and the day and hour of such purchase.

SEC. 399. The said book shall, at all reasonable times, be open to the inspection of the Mayor and Council, Chief of Police, City Attorney and the Recorder in and for the City of Hoboken, or any or either of them; or of any person who shall be duly authorized in writing for that purpose by any or either of them, and who shall exhibit such written authority to such keeper of a junk shop.

SEC. 400. Every keeper of a junk shop who shall violate or neglect or refuse to comply with any or either of the provisions of sections 398 and 399 of this ordinance, shall for every such offense forfeit and pay the sum of fifty dollars.

SEC. 401. No pawnbroker shall, during the continuance of his license as such, receive or hold a license to carry on the business or trade of keeper of a junk shop; and no keeper of a junk shop shall, during the continuance of his license as such, receive or hold a license to carry on the business of a pawnbroker.

SEC. 402. No person shall use, exercise or carry on the business or trade of a pawnbroker or a keeper of a junk shop without being licensed for that purpose by the Common Council as aforesaid, or shall carry on any such business at any other house or place than the one designated in such license, or shall continue to carry on such business after such license may have been revoked, under the penalty of fifty dollars for each and every offense.

SEC. 403. Every pawnbroker and keeper of a junk shop licensed as aforesaid, shall have and keep a sign on the outside and in front of his shop or other place used by him for carrying on such business, on which shall be plainly set forth in conspicuous letters his name and his

licensed business, under the penalty of ten dollars for each and every week he shall make use of such shop or other place as aforesaid without having such sign so put up and maintained.

SEC. 404. In case any person so licensed as aforesaid shall remove his shop or place of business from the place designated in said license, he or she shall immediately give notice thereof to the Mayor and Common Council, and have the same endorsed upon such license, and the number of his shop and place of business shall thereupon be changed on the sides of the cart or wagon used by such licensed person and made to correspond with such change of shop or place of business.

SEC. 405. If any goods, article or thing shall be advertised in any daily newspaper printed and published in the City of Hoboken, as having been lost or stolen and if the said goods, article or thing, or any such answering to the description of the goods, article or thing so advertised, or any part or portion thereof, shall then be or thereafter come into possession of any pawnbroker or keeper of a junk shop, he or she shall forthwith give information therefor in writing at the office of the Chief of Police, and shall also state from whom the same were received, under the penalty of fifty dollars for every neglect or offense.

SEC. 406. Every pawnbroker or keeper of a junk shop who shall receive or be in possession of any goods, articles or things which may have been lost or stolen, or alleged or supposed to have been lost or stolen, shall forthwith, on a demand to view the same, exhibit the same to the Mayor and Council, Chief of Police, or the Recorder, or any policeman who may be authorized by any of the above mentioned officers or magistrate to make such demand, under the penalty of fifty dollars for every neglect or refusal so to do.

SEC. 407. Any person who shall violate any or either of the provisions of this chapter to which no penalty is attached in any preceding section of this chapter shall forfeit and pay the sum of ten dollars for each and every

offense.

SEC. 408. The Common Council shall from time to time appoint some suitable person License Inspector of the City of Hoboken, who shall, under the supervision, direction and regulations of the Committee on Licenses of the Common Council, make inspection and examination respecting all matters of licenses in the City of Hoboken, except such permits as are now collected by the police authorities of said City, and shall report monthly in writing to said Committee on Licenses, which said Committee shall present said report to the Common Council.

CHAPTER XXVII.

RELATING TO THE REMOVAL OF ASHES AND GARBAGE.

SEC. 409. It shall not be lawful for any person to disturb or in any way interfere with the garbage or refuse matter deposited in some suitable receptacle for removal upon the streets or sidewalks by the owner or occupant of any dwelling or tenement in this City, except the authorized contractor of this City, their agents or employees, without the consent of such owner or occupant, and any person guilty of a violation of this ordinance shall on conviction thereof pay a fine of five dollars.

SEC. 410. It shall be the duty of the contractor or contractors who shall agree to remove and carry away such ashes, offal, garbage and other refuse matter as aforesaid, to furnish a suitable number of carts or wagons, without charge, and to employ such carts or wagons in removing and carrying away such ashes, offal, garbage and other refuse matter to such place or places as may be authorized in accordance with the terms of the contract.

SEC. 411. The inhabitants or housekeepers of the City are hereby required to have all ashes, offal, garbage and other refuse matter on their respective premises,

ready for the contractor, in light tubs, barrels, boxes or buckets; and on the ringing of a bell by the said contractor or upon such other and sufficient notice, the said inhabitants or housekeepers are required to permit the contractor to remove and carry away said ashes, offal, garbage and other refuse matter as aforesaid; and it shall be the duty of the owner or tenant of the premises to remove such receptacles within one hour after the same shall have been emptied by the contractor.

Any person who shall neglect or refuse to comply with any of the provisions of this section, and shall allow or permit any offal or garbage to remain in or upon the premises occupied by him or her, after such premises have been so visited by a contractor as aforesaid, shall forfeit and pay ten dollars for every such offense.

CHAPTER XXVIII.

RELATING TO WEIGHTS AND MEASURES, AND PRESCRIBING THE DUTIES OF THE CITY SEALER OF WEIGHTS AND MEAS- URES.

SEC. 412. It shall be the duty of the City Sealer of Weights and Measures and he is hereby authorized to inspect and examine, at least once in each and every year, and as much oftener as he may think proper, all weights, measures, scale-beams, patent balances, steelyards and other instruments used in weighing or measuring any article intended to be purchased or sold in the City of Hoboken.

SEC. 413. All persons using weights, measures, scale-beams, patent balances, steelyards or any other instrument in weighing or measuring any article intended to be purchased or sold in the City of Hoboken, shall cause the same to be sealed and marked by the City Sealer of Weights and Measures in said City. All measures of extension on counters or other fixtures shall be marked by brass-headed nails, or nails of such other material and

of such size as may be plainly seen and distinguished.

SEC. 414. Any person who shall in weighing or measuring any article for purchase or sale within the City of Hoboken, use any weight, measure, scale-beam, patent balance, steelyard or other instrument not sealed and marked as is required by section 413 of this ordinance, shall forfeit and pay twenty-five dollars for every such offense.

SEC. 415. All weights, measures, scale-beams, patent balances, steelyards and other instruments for weighing or measuring, to be sealed and adjusted by the City Sealer of Weights and Measures in the City of Hoboken shall be made conformable to the standard of weights and measures of this State, and shall be marked by him with the initials of his name, and the year in which the same shall be sealed and marked.

SEC. 416. If any person shall use in the City of Hoboken, in weighing or measuring as aforesaid, any weight, measure, scale-beam, patent balance, steelyard or other instrument which shall not be conformable to such standard, or shall use in weighing as aforesaid any scale-beam, patent balance, steelyard or other instrument which shall be out of order or incorrect, or which shall not balance, he, she or they shall forfeit and pay twenty-five dollars for every such offense; and if any such weight, measure, scale-beam, patent balance, steelyard or other instrument shall be found in the possession of any dealer or vender, such possession shall be deemed and taken as prima facie evidence of the use thereof by the person or persons in whose possession the same is found.

SEC. 417. The Weighmaster shall be entitled to receive and demand the following fees for inspecting and examining weights, measures, scale-beams, patent balances, steelyards and other instruments for weighing and measuring used in the City of Hoboken:

For every weight of fourteen pounds or upwards, three cents;

For every weight of a smaller denomination, one and

a half cents;

For every liquid measure, two cents;

For every yard and dry measure, three cents;

For every scale-beam, patent balance, steelyard or other instrument for weighing, three cents.

SEC. 418. All weights, measures, scale-beams, patent balances, steelyards and other instruments used for weighing and measuring shall be inspected and examined at the stores and places where the same may be used; but in case they or any of them shall be found not conformable to the standard of this State, they may be adjusted, sealed and marked by the said Weighmaster at the store or place where the same may be used, or they shall be sent by the owner thereof, at his expense, to the office of the Weighmaster for the purpose of being adjusted, sealed and marked within three days after the owner thereof shall be required so to do in writing by the said Weighmaster, under the penalty of ten dollars for every such neglect.

SEC. 419. It shall not be lawful for the said Weighmaster to make the aforesaid charges for inspecting and examining weights, measures, scale-beams, patent balances, steelyards or other instruments used for weighing and measuring more than once in each year, unless they shall be found not conformable to the standard.

SEC. 420. The said Weighmaster shall be entitled to demand and receive the following fees for sealing and marking weights, measures, scale-beams, patent balances, steelyards and other instruments for weighing and measuring used in the City of Hoboken:

For sealing and marking any scale-beam, patent balance, steelyard or other instrument in the City of Hoboken, as follows:

If the same be gauged to weigh one hundred pounds and under, twelve cents; and if from one hundred pounds to two hundred and fifty pounds inclusive, twenty-five cents; from two hundred and fifty pounds to five hundred pounds inclusive, fifty cents; for five hundred pounds to one thousand pounds inclusive, seventy-five cents; for

one thousand pounds to fifteen hundred pounds to two thousand pounds inclusive, one dollar and fifty cents, and over two thousand pounds, two dollars.

For sealing and marking measures of extension on any counter or other fixture, for one yard, together with its sub-divisions so measured, sealed and marked, the sum of twenty-five cents; and for every additional yard with its sub-divisions so sealed and marked, the sum of twelve cents. The owner of such counter or other fixture shall furnish the proper nails for marking such measures. For sealing and marking all other measures of extension, at the rate of twelve cents per yard, but not to exceed fifty cents for any measure. For sealing and marking every weight, three cents. For sealing and marking liquid and dry measures: For every measure under one gallon, three cents; for one gallon and over, five cents each gallon. For sealing and marking every measure of half a bushel, ten cents; and for every measure of a smaller denomination, five cents; and for every measure of one-half bushel or over, twenty-five cents.

SEC. 421. The fees of the said Weighmaster shall be paid by the owner or person in possession of the weights, measures, scale-beams, patent balances, steelyard or other instruments used for weighing and measuring at the time the same shall be inspected and examined or sealed and marked as aforesaid; and in default thereof such owner or person shall forfeit and pay twenty-five dollars for such default.

SEC. 422. The Weighmaster shall have charge of all the standard beams, weights and measures belonging to the City, and shall carefully keep and preserve the same; and upon the expiration of his term of office or his resignation thereof, or removal therefrom, deliver the same to his successor in office or to any person duly authorized by the Council to take possession thereof.

SEC. 423. That in lieu of the fees allowed by this ordinance the Weighmaster shall charge for and receive for inspecting and examining every weight of fourteen pounds or upwards, two cents;

For a weight of smaller denomination, one cent;

For every liquid measure, two cents;

For every yard and dry measure, two cents.

For every scale-beam, patent balance, steelyard or other instrument in the City of Hoboken, as follows:

If the same be gauged to weigh one hundred pounds and under, nine cents; and if from one hundred pounds to two hundred and fifty pounds inclusive, eighteen cents; from two hundred and fifty pounds to five hundred pounds inclusive, thirty-five cents; from five hundred pounds to one thousand pounds inclusive, fifty cents; from one thousand pounds to fifteen hundred pounds inclusive, seventy-five cents; from fifteen hundred pounds to two thousand pounds inclusive, one dollar; and over two thousand pounds, one dollar and twenty-five cents.

SEC. 424. No person shall refuse to exhibit any weights, measures, scale-beams, patent balances, steelyards or other instruments to the City Sealer of Weights and Measures for the purpose of being examined and inspected as aforesaid, under the penalty of twenty-five dollars for every such offense.

SEC. 425. No person shall in any way or manner obstruct, hinder or molest the said Sealer of Weights and Measures in the performance of his duties as hereby imposed upon him, under the penalty of twenty-five dollars for every such offense.

SEC. 426. All weights, measures, scale-beams, patent balances, steelyards and other instruments used for weighing and measuring, shall be inspected and examined at the stores and places where the same may be used; but in case they, or any of them, shall be found not conformable to the standard of this State, they may be adjusted, sealed and marked by the said City Sealer of Weights and Measures at the store or place where the same may be used, or they shall be sent by the owner thereof, at his expense, to the office of the City Sealer for the purpose of being adjusted, sealed and marked, within three days after the owner thereof shall be re-

quired so to do in writing by the said Sealer, under the penalty of ten dollars for every such neglect.

SEC. 427. It shall be the duty of the said Sealer of Weights and Measures to keep a register of all the weights, measures, scale-beams, patent balances, steelyards and other instruments used for weighing or measuring, inspected and examined by him, in which he shall state the names of the owners of the same, and whether the same on inspection were found to be correct; and, if found to be incorrect, whether the same were properly adjusted, sealed and marked by him. Such register shall be kept in his office in a book to be provided for that purpose, and at the close of each and every fiscal year he shall file a duplicate of said register in the office of the City Clerk.

SEC. 428. It shall not be lawful for the City Sealer of Weights and Measures to sell any weights, measures, scale-beams, patent balances, steelyards or other instruments to be used for weighing, or measuring or to offer or expose the same for sale in the City of Hoboken, under the penalty of fifty dollars for every such offense.

SEC. 429. The City Sealer of Weights and Measures shall have charge of all the standard beams, weights and measures belonging to the City, and shall carefully keep and preserve the same; and upon the expiration of his term of office or his resignation thereof or removal therefrom, he shall forthwith, on demand, deliver the same to his successor in office or to any person duly authorized by the Common Council to take possession thereof.

CHAPTER XXIX.

RELATING TO ASSESSMENTS FOR LOCAL IMPROVEMENTS.

SEC. 430. That when the Commissioners of Assessment of the City of Hoboken shall have determined upon any assessment for any improvement and shall have made a table or statement showing each lot or parcel

of land which may be assessed, and the amount to be assessed thereon, and the name of the person or persons to whom such parcels will be respectively assessed, they shall before reporting such assessment to the Council, give a written or printed notice to each person proposed to be assessed, which notice shall be served personally upon the owner of each parcel or lot so to be assessed, if such owner can be found in the City, and if such owner can not be found in the City then such notice shall be mailed to him or her if his or her post office address can be ascertained, postage pre-paid; and if such address can not be found, then such notice shall be posted on the property to be assessed ten days before the time of hearing objections hereinafter mentioned, which notice shall inform the person to be assessed of the property which will be assessed, and of the amount of such assessment, and what the same is for, and shall inform such owner of the time and place, when and where any objections to said proposed assessment will be heard.

SEC. 431. That at such time and place said Commissioners shall hear and consider any objections presented, and having considered the same they shall correct said proposed assessment if they shall determine any corrections to be necessary, and shall thereupon report such assessment to the Council, and in case no one shall appear to object such assessment shall forthwith be reported to the Council, and any report shall state what objections were made, if any, and what corrections were made, if any.

SEC. 432. That said Commissioners shall determine the proper expense to be incurred in each case for the giving of the said notices, and shall include the said expense as part of the incidental cost of such improvement, and shall assess the same according to law.

SEC. 433. The compensation to be paid to the Commissioners of Assessment shall be a percentage on the total amount of contractor's bill for each improvement for which assessment is made, which percentage shall be equally divided among the said Commissioners.

SEC. 434. That the percentage to be paid to said Commissioners shall be as follows, to wit: On all improvements the contract cost of which does not exceed five thousand dollars (\$5,000), one and one-half per centum on such cost; on such costs over five thousand dollars and not exceeding fifteen thousand dollars, eight-tenths of one per centum; on such costs over fifteen thousand dollars and not exceeding twenty-five thousand dollars, five-tenths of one per centum; on such costs over twenty-five thousand dollars and not exceeding fifty thousand dollars, three-tenths of one per centum; on such costs over fifty thousand dollars and not exceeding one hundred thousand dollars, two-tenths of one per centum; and on such costs over and above one hundred thousand dollars, one-tenth of one per centum.

SEC. 435. That in case a re-assessment of any improvement previously assessed by said Commissioners shall be directed by the Council, the said Commissioners shall not be entitled to extra compensation.

SEC. 436. That the compensation to which said Commissioners are entitled to under this ordinance shall be added to and included in the cost of the improvement on which the compensation is payable, and shall be assessed in the same manner as other costs of said improvement.

SEC. 437. That the map entitled "Assessment Map of the City of Hoboken, Hudson County, N. J., made from joint surveys by Messrs. Charles B. Brush and Beyer & McCann, City Surveyors, 1891," be and the same is hereby constituted the official map of the City for the purposes for which the same was made.

SEC. 438. That it shall be the duty of the City Clerk, Water Registrar, Assessor, Collector and City Surveyors and other officials in making out bills for taxes, water rents and assessments to conform to the method of designating property and numbering blocks, lots and houses by using the system laid down on said map.

SEC. 439. That all buildings erected or to be erected in the City of Hoboken shall be numbered hereafter to correspond with the numbers shown on said map.

CHAPTER XXX.

RELATING TO THE SINKING FUND.

SEC. 440. That there shall exist in the City of Hoboken a board to be known as the Sinking Fund Commissioners, to be constituted of the Mayor, City Treasurer, Comptroller, Chairman of the Committee on Finance of the Council and the Corporation Attorney, of which number the Mayor shall be ex-officio President.

SEC. 441. That the members of such board shall serve without salary or other compensation than that received for the performance of the duties for the respective offices to which they are elected or appointed, and they shall have full power and authority, and it shall be their duty to order the safe investment of any and all moneys which the City may receive from the collection of taxes, assessments or other sources which may be specially pledged in the tax appropriation of any year by legislative act or otherwise for the payment of the principal and interest, or either, on any bonds heretofore issued or hereafter to be issued by authority of law by the Mayor and Common Council of the City of Hoboken.

SEC. 442. That the said Sinking Fund Commissioners shall have power to invest and re-invest the moneys which shall come to their hands as aforesaid in bonds of the City, County, State or of the United States, at the best rate of interest which the said Sinking Fund Commissioners may be able to receive upon said investment.

SEC. 443. That the said Commissioners shall create a fund to be known as the "Sinking Fund" into which all moneys collected by any department of the City government for the purpose aforesaid shall be placed, under the jurisdiction and control of the said "Sinking Fund Commissioners" so to be invested as aforesaid.

And the said Commissioners shall have power and they are hereby authorized to designate the bank or banks where the moneys in the fund so created shall be deposited; and said money shall be deposited only in the

name of the "Sinking Fund Commissioners of the City of Hoboken," and not in the name of any official. That said money so deposited shall be drawn out for the purposes aforesaid only upon a warrant or draft properly signed by the Mayor of said City as President of said board, countersigned by the Comptroller of the City as Secretary of such board; and that the members of the said board before entering upon the performance of the duties of their office shall qualify for the same in a bond to be approved by the Mayor and Common Council of the City of Hoboken in the sum of five thousand dollars, excepting when said members have already furnished in their official capacity to the City a bond for the performance of the duties of their respective offices.

SEC. 444. That the said "Sinking Fund Commissioners" shall meet at the City Hall on the first Monday in June in each year and as often thereafter as the Mayor, as President of said board, may find it necessary to convene the said commission for the purpose of performing their duties under this ordinance.

CHAPTER XXXI.

CONCERNING THE LICENSING AND REGULATION OF THEATRES AND CONCERT HALLS.

SEC. 445. No person or persons shall manage or exhibit within the limits of the City of Hoboken any theatre or theatrical establishment, unless such person or persons shall first obtain a license for said purpose as hereinafter mentioned, under a penalty of one hundred dollars for each and every exhibition given in such theatre or theatrical establishment.

SEC. 446. That the Mayor and Council of the City of Hoboken, on written application to them for that purpose made, in their discretion, give or grant permission to any person or persons to manage or exhibit any the-

atre or theatrical establishment within the limits of said City.

SEC. 447. That prior to opening to the public any such theatre or theatrical establishment, and after the permission granted as aforesaid, the person or persons desiring said license shall obtain from the City Clerk of the City of Hoboken, a license in writing, permitting the opening of such theatre or theatrical establishment and exhibitions therein, upon first paying to said Clerk one hundred dollars as a license fee to the City, and two dollars to the said Clerk for his fee, upon receipt of which the City Clerk shall endorse upon said license the payment of said fees, which license shall expire at the period of one year from the time of the granting thereof, and no person or persons shall exhibit in any theatre or theatrical establishment until said license has been obtained and the payment of said fees endorsed thereon, under the penalty aforesaid.

CHAPTER XXXII.

TO PREVENT VICE AND IMMORALITY, TO PRESERVE PUBLIC PEACE AND GOOD ORDER, AND FOR OTHER PURPOSES.

SEC. 448. No person or persons shall on the first day of the week, commonly called Sunday, sell, dispose of or deliver for money or any other thing of value, or on credit, or shall cause or permit to be sold or delivered, any spirituous, malt, vinous, fermented or intoxicating liquors, or lager beer, or sour wines, in any saloon, restaurant or other place within the limits of the City of Hoboken. And no person or persons shall, on the first day of the week, commonly called Sunday, cause or permit the store, shop, saloon, cellar or place of business or other place by him, her or them occupied, to be open for the sale of any spirituous, malt, vinous, fermented or intoxicating liquors, or any lager beer, or

sour wines. And no person or persons shall on the first day of the week, commonly called Sunday, cause, suffer, or permit any person to assemble in his, her or their store, shop, saloon, cellar or other place of business by him, her or them occupied, for the purpose of there drinking of any such liquors as aforesaid.

And any person who shall violate any of the provisions of this section shall for every such offense forfeit and pay the sum of ten dollars or be imprisoned for the term of four days.

SEC. 449. No person or persons shall on the first day of the week, commonly called Sunday, sell, dispose of or offer or expose for sale, or cause or permit to be sold, disposed of or offered or exposed to sale, any cigars, oysters or confectionery, under the penalty of ten dollars for each offense.

SEC. 450. No person shall keep or maintain a disorderly house or house of ill-fame, under the penalty of fifty dollars for each and every offense. Every person or persons who shall allow or permit his, her or their house, shop, store or other place connected therewith to be used, frequented or resorted to by riotous or disorderly persons, gamblers, vagrants or common mendicants between the hours of five o'clock in the evening and seven o'clock in the morning, shall forfeit and pay the sum of fifty dollars for each and every offense. Any person who shall make or assist in making any riot, noise or disturbance at any house, shop, store or other place within the City of Hoboken where dancing or other amusements are permitted, shall forfeit and pay the sum of fifty dollars for each and every offense.

SEC. 451. No person or persons shall set up, keep or maintain, or permit to be set up, kept or maintained in any house or premises occupied by him, any faro table, faro bank, roulette or other device or game of chance, hazard or address for the purpose of gaming; or any boxing ring, cock pit or other place for the exhibition of animals in fight, under the penalty of fifty dollars for each offense. And it shall be the duty of the police

and they are hereby authorized and empowered to enter upon any premises where any instrument or devices employed in gaming shall be used contrary to the provisions of this ordinance; and, except in the case of ball alleys, bowling alleys and billiard tables, to carry away and destroy the same.

SEC. 452. No person shall deal, play or engage in faro, roulette or other device or game of chance, hazard or address either as banker, player, dealer or otherwise, for the purpose of gaming, under the penalty of ten dollars for each offense.

SEC. 453. No person or persons, unless duly licensed according to law, to keep an inn and tavern or a victualing house with the privilege of retailing spirituous liquors, shall sell, dispose of or deliver for money or any other thing of value, or on credit, or shall knowingly permit or cause to be sold, disposed of or delivered for money or any other thing of value, or on credit, on his, her or their account or on account of any other person or persons whatsoever, by less measure than one quart, any distilled or ardent spirits or spirituous liquors, or any other liquid of which distilled or ardent spirits or spirituous liquors form a component part, except such as are compounded, used and approved for medicine; or having sold, disposed of or delivered as aforesaid to one or more persons one quart, or any greater measure than one quart, of any distilled or ardent spirits or spirituous liquors or any other liquids of which distilled or ardent spirits or spirituous liquors shall form a component part, shall encourage, permit or allow any person or persons to drink and tipple thereof in his, her or their house, outhouse, shed, garden, tenement or in any place in his, her or their occupancy, under the penalty of ten dollars for each and every violation of the provisions of this section.

SEC. 454. If any person shall be drunk or shall be in the state of intoxication in any street, highway, thoroughfare or public place within the City or in any private house or place, to the annoyance of any citizen or person,

he shall on conviction thereof forfeit and pay the sum of two dollars or be imprisoned for a term not exceeding ten days.

SEC. 455. It shall be the duty of each and every police officer to arrest, on his personal view, any person so drunk or intoxicated, and him or her forthwith to bring or cause to be brought before the Recorder of the City of Hoboken; and it shall be lawful for the said Recorder before whom such person shall be brought, on his personal view or on the confession of such person or on due proof that such person has been so drunk or intoxicated, to convict such person thereof, and on such conviction to sentence such person to forfeit and pay a fine as aforesaid, or to imprisonment as aforesaid, and to pay as the costs of such conviction to the Recorder of the City of Hoboken as may be allowed by law.

SEC. 456. Each and every person being a vagrant, common mendicant or street beggar, shall on conviction thereof, forfeit and pay a sum not exceeding twenty-five dollars or be imprisoned for a term not exceeding ten days.

SEC. 457. No person shall appear in any street or public place in a state of nudity or in a dress not belonging to his or her sex, or in an indecent or lewd dress, or shall make any indecent exposure of his or her person, or be guilty of any lewd or indecent act or behavior, or shall exhibit, sell or offer to sell, any indecent or lewd book, picture or thing, or shall exhibit or perform any indecent, immoral or lewd play or other representation, under the penalty of ten dollars for each and every offense.

SEC. 458. Any person or persons who shall make, aid, countenance or assist in making any improper noise, riot, disturbance or breach of the peace in the streets and highways or elsewhere within the City, and all persons who shall collect in bodies or crowds for idle or unlawful purposes to the annoyance or disturbance of citizens or travelers, shall severally forfeit and pay a sum not less than one dollar nor more than twenty-five dollars.

SEC. 459. Any person or persons who shall dequieten or disturb any congregation or assembly met for religious worship in any church or other building, by making a noise or by rude or indecent behavior or profane discourse within their place of worship, shall severally forfeit and pay a sum not less than one dollar nor more than twenty-five dollars.

SEC. 460. No person shall inhumanly, unnecessarily or cruelly beat, injure or otherwise abuse any dumb animal, under the penalty of ten dollars for each and every offense.

SEC. 461. No person shall engage in any practice, sport or exercise having a tendency to frighten horses or other animals or to annoy persons passing in the streets or on the sidewalks of the City, under the penalty of five dollars for each and every offense.

SEC. 462. Any person who shall injure or destroy or assist in injuring or destroying any public building or other property belonging to the City, shall forfeit and pay a sum not less than three dollars nor more than twenty-five dollars, or be imprisoned for a term not exceeding ten days; and shall furthermore be liable for all damage or injury done.

SEC. 463. No master, owner or agent of any steamboat, ship, vessel or boat whatever, or any stage, car or other land carriage or vehicle, shall land or put down or cause or permit to be landed or put down from any other such steamboat, ship or other vessel, stage, car or other vehicle, any alien pauper, vagrant, sick, infirm or insane person or such other alien that may appear to have no visible means of support or that can not make it appear that he or she is entitled to a residence in the City of Hoboken, unless such owner, master or agent shall first execute a bond to the Mayor and Common Council of the City of Hoboken in the penal sum of three hundred dollars, with good and sufficient security to be approved by the Mayor, conditioned that no such passenger shall become a charge upon the said City for the term of one year from the date of said bond, under the

penalty of fifty dollars for each and every passenger as aforesaid so landed or put down within the City limits.

SEC. 464. It shall be the duty of the police and they are hereby authorized and empowered to apprehend and detain until daylight, all offenders against the peace and all persons who may obstruct or endanger them, or any of them, in the execution of their office, or who shall be guilty of any disorderly conduct, or shall be engaged in any riots, rows, unlawful assemblages, outcries, noises, insurrections or other alarm or disturbance whatever, or shall aid, abet or assist or countenance others in the commission of either of the said offenses. The policemen are also authorized to enter any dwelling house, store, shop or other building where any felon is harbored or secreted, or where persons are who have during the night and in their presence and hearing committed any breach of the peace, or where any felony or breach of the peace is about to be committed, or where any noise or alarm, outcry or other disturbance shall be made, in like manner as Constables and other peace officers are authorized by law. All persons so apprehended by the police officers shall be detained at the station house without danger from the severity of the cold, and the sexes shall be kept apart.

CHAPTER XXXIII.

CONCERNING THE DRIVING AND SLAUGHTERING OF CATTLE.

SEC. 465. That if any person or persons shall drive or cause to be driven in or upon any sidewalk in said City any cattle, horses, sheep, swine or other animals, or if any person driving or having in charge any cattle or other animals aforesaid, shall permit, suffer or allow the same or any of them to go upon any sidewalk in said City, every person or persons so offending in the premises shall be liable to pay a fine of five dollars for every

head of cattle, horses or other animals aforesaid which shall be so driven or permitted to go upon said sidewalk.

SEC. 466. That if any person driving or having in charge any cattle, sheep or swine shall suffer, permit or allow any such cattle, sheep or swine to stop, stand still or lodge in or upon any street or sidewalk in said City, every person so offending in the premises shall be liable to pay a fine of ten dollars for every such offense.

SEC. 467. That hereafter droves of cattle, horses, sheep, swine or other animals shall not be driven through the streets of Hoboken between eight o'clock in the morning and six o'clock in the evening, under a penalty of ten dollars for each and every offense.

SEC. 468. That no person or persons shall keep or maintain a slaughter-house within the limits of the City of Hoboken, under a penalty of fifty dollars for every day the same shall be kept and maintained for the purpose of slaughtering animals therein.

SEC. 469. That no person or persons shall slaughter or in any way assist in slaughtering any cattle, animal or animals within the City limits of the City of Hoboken, under a penalty of fifty dollars for each offense.

CHAPTER XXXIV.

CONCERNING LOCOMOTIVE ENGINES AND RAILROAD CARS.

SEC. 470. It shall be lawful for the Common Council of the City of Hoboken, by resolution, to direct and require any railroad company to station a signal man at any point or place where the railroad track or tracks of such company shall or may cross or run along any street of such City, to give warning both by day and night of the approach of the locomotive engines and railroad cars of any description of said company. Every such resolution duly passed by the Common Council and approved by the Mayor shall be published for the space of twenty days in the official newspaper printed

and published in the City of Hoboken, and a copy thereof, duly certified by the City Clerk, shall be served on any officer or agent of said company residing or found in the City of Hoboken. And such railroad company, from and after the time of such publication and service as aforesaid, shall station a signal man at the point or place designated in the resolution of the Common Council to give warning of the approach of the locomotive engines and railroad cars of any description of said company, under the penalty of ten dollars for every time any locomotive engine or railroad car shall pass at such point or place without such flagman being stationed and such warning being given, to be forfeited and paid by the said company or the engineer or conductor in whose charge such locomotive engine or railroad car may be, severally and respectively.

SEC. 471. No locomotive engine or railroad car or train of cars shall encumber or obstruct any sidewalk or cross-walk or any street in the City of Hoboken for a longer period than is absolutely necessary for the safe and expeditious discharge of passengers only, under the penalty of twenty-five dollars for each offense, to be forfeited and paid by the railroad company owning or using such locomotive engine or railroad car or train or cars or the agent, engineer or conductor in whose charge such locomotive engine, railroad car or train or cars may be, severally and respectively.

SEC. 472. No railroad company shall lay down any rail or rails, or railroad track or tracks, or shall alter the grade or location of any rail or rails or railroad track or tracks in, across or along any street in the City of Hoboken, except when directed and required by the Common Council to alter the grade or location thereof, without having first given thirty days' notice to the Common Council of the desire and intention of the said railroad company to lay down or alter the grade or location of such rail or rails, railroad track or tracks, under the penalty of fifty dollars for each and every violation of any of the provisions of this section, to be forfeited

and paid by the said company and the person or persons laying or altering the same, severally and respectively.

SEC. 473. At the several points or places where the railroad track or tracks of any railroad company shall or may cross or intersect any street that is now or may hereafter be regulated, graded and curbed, such railroad company shall cause the said railroad track or tracks, to the full width of said street, to be paved, flagged or planked, and eight feet on either side thereof to be flagged with good and sufficient flagging stones not less than four inches in thickness, or with round or paving stones well and properly laid. All such paving, flagging or planking shall be executed to the satisfaction of the Street Commissioner and shall be kept and maintained in good repair by the said railroad company.

SEC. 474. No locomotive engine shall be run and driven or propelled over or upon any railroad track or tracks within the City of Hoboken, unless the same shall be furnished with the most approved apparatus or adjustment to prevent the communication of fire from flying sparks and cinders to property near to the said track or tracks, under the penalty of fifty dollars for each and every violation of any of the provisions of this section, to be forfeited and paid by the railroad company running or using such locomotive engines.

CHAPTER XXXV.

CONCERNING STREET RAILWAYS.

SEC. 475. All street railroad companies in the City of Hoboken and all individuals to whom any right or privilege of laying down any railroad track or tracks in said City shall be granted, shall be (as shall such grant also be) subject to the limitations, provisions, terms and conditions hereinafter set forth and provided, and every such company and all such individuals shall be held and deemed to hold their rights and privileges to lay and

use such track or tracks under, upon and subject to all and singular of the said terms, limitations, restrictions, provisions and conditions.

SEC. 476. It shall be the duty of every such company and all such individuals to employ careful, sober and prudent agents, conductors and drivers to take charge of their car or cars when upon their road, and for the violation of the City ordinance on the part of any such officer or officers, employee or employees upon such road, and for all injuries caused by any neglect, misconduct or carelessness of its agents, servants or employees, or any of them, the company or individual, proprietor or proprietors of the road shall be liable to all fines, forfeitures, penalties and damages arising therefrom or by ordinance attached thereto, provided, however, that nothing in this ordinance shall be deemed or taken to excuse, discharge or in any manner free any such officer or employee from the penalties or responsibilities of any such violation or other acts by them committed.

SEC. 477. The Common Council reserves and shall have the power to prescribe the frequency of the trips of the cars of any street railway company, when in their judgment necessary or proper for the public convenience. Every street railway company owning or operating a street railway in this City shall cause its time tables of trips, adopted pursuant to the preceding section and approved by the Committee of the Common Council on Streets, to be printed in suitable and convenient form and posted conspicuously in each of its cars. All cars shall be run in strict compliance with said schedule and at a uniform rate of speed. No car shall be run with increased speed at or near points where its line meets a competing line, and each car shall be promptly stopped on call.

SEC. 478. All street railway companies in this City to whom the right of laying down any railroad track or tracks in the streets of this City has been heretofore or shall hereafter be granted, shall use cars having a front and back platform and double brakes.

SEC. 479. The cars of any street railway company shall not be allowed to obstruct the cross-walks nor to stop at the corner of any street or elsewhere to solicit passengers. It shall also be the duty of the conductors and drivers of the cars to give ample notice to drivers of vehicles and pedestrians of their approach, and also to afford all reasonable opportunity for them to avoid collision or accident; and any neglect by any such conductor or driver to comply with the provisions of this section shall be punishable by a fine of five dollars, to be recovered before the Recorder of the City; and the Mayor and Common Council of the City are, in case of the violation of either of the provisions of this section, empowered to revoke the license of any car the conductor or driver whereof shall be guilty of such violation of the provisions of this section, or either of them, and such car shall not be permitted to be again placed upon the road until such license is renewed.

SEC. 480. Should any such company, corporation or individual, proprietor or proprietors neglect to run cars upon their road or roads for the accommodation of the public for the space of three consecutive months, the Common Council reserve the right to rent said road or roads to any other person or persons, company or companies who will be willing to run cars on the same; or in the event of the Common Council being unable so to rent said road or to place cars upon the same for six months after the same shall have been abandoned as aforesaid by the company or individual or individuals owning the same, then and in such case the Common Council reserve the right to cause the said road or roads to be removed from the streets and highways of the City, and to sell or dispose of the materials thereof, and after paying therefrom all expenses of such removal and sale and of repairing said street or highway, pay the balance, if any, to the legal representative of said defaulting company or owner or owners.

SEC. 481. No greater sum shall be charged or received as fare or toll for the carrying of passengers for

any distance within the City limits than five cents for each passenger over ten years of age; and no greater sum shall be charged or received as fare or toll for the carrying of children between the ages of seven and twelve years on any street railway within the City limits than three cents for each child. The Committee on Licenses hereby are empowered to revoke the license of any car which is not run in accordance with the provisions of this section.

SEC. 482. Bells of proper size and tone to notify foot passengers and others passing in or crossing the streets or highways in which any railroad shall be constructed, of the approach of the cars.

SEC. 483. The cars used upon all railways in the City of Hoboken shall be of proper and convenient size and number for the proper accommodation of the travelers thereupon, and shall be in all respects convenient for the purpose.

SEC. 484. Every street railway company or the proprietor or proprietors of any such company to whom the right has heretofore been given or may hereafter be given to lay track or tracks in any of the paved streets of this City, shall pave the roadway between the tracks of such railway and at least twelve inches on the outside of each rail with such material and in such manner as shall be required by the Common Council, when the consent necessary by law to be obtained for the paving of such track or tracks shall be given, or at any time thereafter; such pavement when laid, to be one-half of one inch above the rail, and such paving shall be done under the supervision and satisfaction of the Street Commissioner, and said railway shall be kept in good condition and repair by the company and to the satisfaction of the Street Commissioner. Whenever any unpaved street through which or upon which street railway tracks are laid is ordered paved by the Common Council then the company owning or operating such railway tracks, or the proprietor or proprietors thereof, shall pave the same in the manner above described and shall

also pave at the intersection or crossing of any other railway tracks the whole distance between the rails at the said crossing, and at all cross-walks the said pavement shall be continued along the rail. The proprietor or proprietors of such railway tracks shall be subject to all other paving now required by the ordinance of the City of Hoboken, and at the crossings at streets or the gutters thereof, which said railway shall pass over a proper culvert covered with iron or stone, the whole width of the street shall be laid at the cost or expense of the proprietor or proprietors of such railway tracks, and shall be constructed under the direction of the City Surveyor and Street Commissioner, subject to the approval of the Street Committee of the Common Council, and no person or persons shall be permitted to lay more than one track for horse cars in any street in the City of Hoboken, unless by consent of the Common Council.

SEC. 485. The proprietor or proprietors of any street railway shall remove any gravel, dirt, materials or other obstructions placed by him or them on any street within forty-eight hours after notice shall have been given to him or them or to any officer of said proprietor or company by the Street Commissioner, and if he or they shall fail to comply with the provisions of this section according to the terms of the notice served upon him or them, the Street Commissioner shall cause such paving, repaving and repairing said street to be done and remove such gravel, dirt, materials or other obstructions, the cost of which shall be collected of and from such proprietor or proprietors by the City of Hoboken.

SEC. 486. Each and every street railway company or the individual or individuals owning any such passenger railway, shall pay to the City Clerk in the month of January of each year, for the use of the City of Hoboken, ten dollars for each car to be run on their road, and for each and every car placed upon any road before the time herein provided for paying the license a proportionate sum shall be paid until the succeeding January, and no car shall be placed or run upon any road or street

until it shall be regularly licensed and a certificate duly numbered hung in a conspicuous place in said car.

SEC. 487. No connection of one railroad with another shall be made in the City of Hoboken without the consent and authority of the Common Council first had and obtained; and the Common Council may authorize any such connection at their discretion for the purpose of completing a route or making a circuit, and also the use for such purpose by the owners of any railroad of the railroad wherewith the same shall be so connected, from the place of said connection for any distance not exceeding one mile, the owner or owners of the railway with which such connection may be so made to receive from the owner or owners of the connecting railway such compensation and that road to be used on such terms and conditions as they may mutually agree upon, for such use of the railway with which such connection may be made, or in case of their failure to come to a mutual agreement thereupon, then on such terms and conditions and for such sum as may be fixed by the Mayor of the City of Hoboken and two disinterested persons to be chosen by the proprietors of the railways (one by each party), or a majority of them.

SEC. 488. The track or tracks to be laid down for any railway shall be five feet two inches gauge, of the best and most approved pattern and description for city railways, and shall be approved by the Common Council, shall be such as to present the least obstruction in every respect to ordinary wagon travel, and calculated and laid to facilitate, as much as is practicable, the use thereof by ordinary wagons and vehicles.

SEC. 489. All persons driving vehicles on any street railway in the City in the direction that the cars travel on said roads shall have the right to the railway track when meeting any other vehicle going in the opposite direction; and the driver of the vehicle going in the opposite direction shall be compelled to turn entirely off the track, under a penalty of five dollars to be recovered before the Recorder.

SEC. 490. Whenever it shall be found necessary for the City of Hoboken to occupy all or any portion of any street or highway, whereupon a street railroad may be constructed, for the purpose of making improvements thereon, such as culverts, laying of water pipes or any other alteration or improvement that may from time to time be found necessary, the said City shall have full and entire power and authority to make such alteration or improvement without recourse on the part of the proprietor or proprietors of any railroad against the said City, for any obstruction or embarrassment that the said proprietor or proprietors of said railroad may meet with consequent upon such alteration or improvement; provided, however, that on the occasion of any alteration or improvement as hereinabove recited, directed to be done or to be performed by the authority of the Common Council, no unnecessary delay shall be made or caused in any manner that shall work prejudicially to the interests of the railroad company or proprietor or proprietors.

SEC. 491. For each and every violation of any of the foregoing provisions of this chapter to which a penalty is not hereinbefore attached such railroad company or other proprietor or proprietors of any railroad shall pay a penalty of fifty dollars, and for every continued violation of any of the provisions thereof, after notice by the Street Commissioner, the penalty shall be five dollars for each and every day the violation continues; and the Street Commissioner shall have authority, when directed by the Common Council, to stop the running of all cars upon any road whose company or proprietor or proprietors refuses or refuse to pay the penalties, or any of them, as provided in this ordinance.

SEC. 492. Nothing in this chapter contained, nor any grant of any right to lay a railway in the City of Hoboken, shall be deemed, construed or held in any way to impair the right of the Common Council to grant any right to lay or use any other railway whatsoever in the City of Hoboken; nor shall any grant by the Common

Council of any right or privilege to lay a railroad track or tracks in the City of Hoboken confer or be deemed, construed or held to confer any right to the grantees thereof to affect the grade of any street or highway, except by and with the consent and authority of the Common Council; but all railroad tracks shall be laid on the streets or highways at the established grade thereof, and shall be without delay taken up and relaid by the proprietor or proprietors thereof at his or their own expense and costs and without recourse to the City for any damages on account or by reason thereof, conformably to the grade of streets and highways through which the same shall be laid, upon the alteration by the Common Council of the grade of such streets and highways.

CHAPTER XXXVI.

RELATING TO THE USE OF BICYCLES, TRICYCLES, ETC.

SEC. 493. It shall be unlawful for any person or persons to ride a bicycle or tricycle or other vehicle in the limits of the City at a greater speed than at the rate of ten miles per hour, or to ride such vehicle or vehicles after one hour after sunset until sunrise without a lighted lamp attached thereto of sufficient illuminating power to be seen at least two hundred feet away, and without an alarm bell attached to the handle bar of such vehicle which when rung may be heard one hundred feet distant and which shall be rung not less than twenty-five feet before reaching any cross-walk.

SEC. 494. It shall be unlawful for any person or persons to use any bicycle, tricycle or similar vehicle, excepting carriages for the care of children, upon any sidewalk in the City; and it shall be unlawful for any person or persons while riding any bicycle or tricycle upon the public street, roads or highways of the City to carry on such bicycle or similar vehicle any child of tender years.

SEC. 495. It shall be unlawful for any person or persons to throw or cause to be thrown upon any sidewalk, street or roadway any ashes, cinders, glass, crockery, tinware, wire, tacks, nails or scrap iron or other substance of any nature likely to cause injury to travelers or pedestrians or to carriages, bicycles or other vehicles traveling or moving on such streets, highways or public roads, or which might disable or injure any horses or other animal, or which might injure, cut or puncture any pneumatic tire or tires of any bicycle or similar vehicle.

SEC. 496. That for the violation of any of the provisions or sections of this chapter, the person or persons so offending, upon complaint made by any person before the Recorder or acting Recorder of the City, shall upon being found guilty be subjected to a fine of five dollars for each and every offense.

SUPPLEMENTAL ORDINANCES.

AN ORDINANCE granting to the Jersey City, Hoboken and Rutherford Electric Railway Company (a street railway) a location of its tracks within the limits of the City of Hoboken, and the right and authority to so locate, construct and maintain the said tracks and its said railway, and to use, operate and maintain thereon cars propelled by electricity or electric motors instead of horses, and to erect, construct, string, place and maintain the poles, wires and other necessary appurtenances for the purpose of operating said railway, and prescribing the manner in which and the places where such poles shall be located and the manner in which the wires shall be strung thereon.

The Mayor and Council of the City of Hoboken do ordain as follows:

SECTION 1. That the location of the tracks of the Jersey City, Hoboken and Rutherford Electric Railway Company in the part of the streets hereinafter named in the City of Hoboken shall be conformably to the route mentioned in said petition and designated in the articles of incorporation of said company and its amended certificate of incorporation, that is to say: Commencing at the intersection of the Paterson plankroad and the boundary line between Jersey City and the City of Hoboken; thence running (1) easterly along said Paterson plankroad in the City of Hoboken to its intersection

with First street; thence (2) southeasterly along First street in the City of Hoboken to its intersection with River street; thence (3) southwesterly along River street to its intersection with Newark street or avenue; thence (4) easterly along Newark street to the Hudson river.

Then commencing again at the intersection of River and First streets and running thence (1) northerly along River street to its intersection with Second street; thence (2) northwesterly and along Second street to its intersection with Harrison street; thence (3) southwesterly and along Harrison street to its intersection with First street.

SEC. 2. That there shall be a single track laid in First, Second, Harrison, Newark and River streets as described in this ordinance, excepting in River street between Newark and First streets where there shall be a double track.

SEC. 3. That said tracks and the appurtenances thereof shall be located, laid and constructed in said streets or parts of streets as hereinbefore mentioned conformable to and as shown on a map entitled "Map showing the location of tracks, poles and other appurtenances of the Jersey City, Hoboken and Rutherford Electric Railway Company in the City of Hoboken as located and prescribed under and by virtue of an ordinance entitled 'An ordinance granting to the Jersey City, Hoboken and Rutherford Electric Railway Company (a street railway) a location of its tracks within the limits of the City of Hoboken and the right and authority to so locate, construct and maintain the said tracks and its said railway, and to use and operate and maintain thereon cars propelled by electricity or electric motors instead of horses, and to erect, construct, string, place and maintain the poles, wires and other necessary appurtenances for the purpose of operating said railway; and prescribing the manner in which and the places where such poles shall be located and the manner in which the wires shall be strung,' " bearing date November twenty-seventh, eighteen hundred and ninety-five, and filed with

the Clerk November twenty-seventh, eighteen hundred and ninety-five.

SEC. 4. That in case the propelling power shall be electric motors supplied with electricity from overhead wires, the poles thereof shall be located on the sidewalks adjacent to and within the curb lines and at such places as indicated and shown on the map hereinafter mentioned, and shall be of tubular iron thirty feet in length, sunk six feet below the curb, secured by concrete and painted with two coats of good water-proof paint. To these poles there shall be attached, with not less than two half-inch bolts, span clamps of soft steel not less than one and one-half inches by three-sixteenths of an inch in size; they shall be set on the poles so as to bring the trolley wire at a height of not less than seventeen feet above the surface of the street. To each span clamp shall be attached a strain insulator with at least three inches take-up; and at distances not to exceed two thousand feet along the line there shall also be attached an additional strain insulator so as to furnish double insulation for the span wires at these points. All span wires shall be of galvanized iron wire not less than three-eighths of an inch in diameter and of seven strands. The trolley wire attached to said span wires shall not be less than O hard drawn copper and not less than 98 per cent. conductivity. The feed wires shall be supported on glass insulators and shall be so strung that the said wire shall in no place be less than seventeen feet above the sidewalk, and at all places where it is necessary to make joints or connections shall be wrapped with okronite or some other insulating tape equally as good. All necessary anchors shall be of number three white galvanized Swedish iron, sustained or connected by insulators. The line when finished shall present a neat and workmanlike appearance, all poles be evenly raked, wires straight and free from kinks or bends, the span wires of uniform sag and trolley wires pulled up straight.

✓ SEC. 5. Said company shall pave with Belgium

blocks, not exceeding forty-two to the square yard, or, if required by the City, with such other pavement as the City may place from time to time in such street, and keep and maintain in good repair all that part of the carriage way of the street in which its tracks shall be laid lying between the outer rails of its track or tracks and to the extent of eighteen inches beyond the said outer rails on said tracks; said pavement and all repairs thereof to be laid with sharp sand.

SEC. 6. All rails to be laid shall be of a pattern to be approved by the Committee on Streets of said Council, and shall be so laid as not to project above the street grade; and said rails shall be laid and said posts or poles erected and said paving executed under the supervision and to the satisfaction of the said Committee on Streets.

SEC. 7. That said company shall immediately after every snow-storm remove the snow falling upon their tracks in a manner satisfactory to the said Committee on Streets, and the chairman of said committee shall have the right to require said company to remove the snow falling upon its said tracks entirely off of the line of any street; and in case said company shall fail to commence to remove such snow from any such street within six hours after receiving notice in writing from said chairman, and thereafter to remove the same with all possible dispatch, the City shall have the right to remove the same at the expense of the company, and the same shall be repaid to the City on demand, and the certificate of the chairman of said committee shall be conclusive evidence of the cost of such removal; and the notice above mentioned may be left at the office of the company at its terminus in the City of Hoboken.

SEC. 8. That the City shall have the right from time to time to make reasonable regulations governing the speed of cars, the manner of stoppage thereof and the number of cars in a train.

SEC. 9. That no freight cars shall be operated or run upon said railway within the limits of the City of

Hoboken, but this limitation shall not be so construed as to prevent the carriage or transportation of parcels, packages, express, mail matter or personal effects or supplies to be used by said company.

SEC. 10. That if said company shall consolidate with or lease or be leased to any other railway or traction company within the limits of the City of Hoboken then transfer tickets shall be issued for a continuous ride interchangeably between said lines for one rate of fare of five cents to or from any point within the City of Hoboken upon the lines so consolidated or leased.

SEC. 11. That in case of fire the Fire Department of the City shall have the right, without notice and without compensation, to cut or remove any overhead wires of said company for the purpose of more readily and safely extinguishing said fire.

SEC. 12. That the City shall have the right to construct and repair, or cause to be constructed and repaired, in any part of such streets so designated as aforesaid, any sewer, water pipe, gas pipe or other underground conduit, and also to repair, alter, widen, change the grade of, or otherwise improve such streets, and all expenses attending the removal and replacing of the tracks and appurtenances of said company, for the purpose of making such improvements or repairs, shall be borne by said company and not by the City.

SEC. 13. That said company shall pay all taxes which may be lawfully imposed upon it and its property in the City of Hoboken from time to time.

SEC. 14. That any injury or damage done or occasioned in the construction of said railway to any sewer in any of the aforesaid streets or parts of streets, shall be repaired by said company at its cost and expense.

SEC. 15. That all the cars of said company shall be provided with fenders of the most approved pattern.

SEC. 16. That said railway shall be completed on or before the first day of December, eighteen hundred and ninety-seven, provided, however, that the time of the company to construct its said tracks and the neces-

sary poles, wires and appurtenances for operating said road shall be extended by any period during which it may be prevented or delayed by legal proceedings or causes beyond its control.

SEC. 17. That said location, together with the right, power and authority to locate, construct and maintain thereon its tracks and its said railway as herein provided, and the right, power and authority to use, operate and maintain thereon cars propelled by electricity or electric motors instead of horses, and to erect, construct, place and maintain the poles, wires and other necessary appurtenances thereto for the purpose of operating said railway, as also hereinbefore provided, are hereby granted to the said The Jersey City, Hoboken and Rutherford Electric Railway Company, its successors and assigns.

SEC. 18. That said company shall, within thirty (30) days after its said railway is completed and in operation in said streets or parts of streets hereinbefore mentioned in the City of Hoboken, pay to the Mayor and Council of said City, as compensation for the rights, powers, privileges and authority by this ordinance granted and conferred, the sum of twenty thousand dollars, and said company shall thereafter be exonerated and discharged from the payment of any further or other compensation to or imposition by the Mayor and Council of said City; except as provided in section thirteen of this ordinance.

SEC. 19. That said company shall, within thirty days after the adoption of this ordinance, file with the Clerk of the City of Hoboken a written acceptance of the provisions, terms and conditions of this ordinance, executed in due form, under the corporate seal, and signed by its president and secretary, and a failure so to do within the time aforesaid shall be deemed and taken as a refusal so to do on the part of said company, and all rights and privileges to it hereby granted shall cease and be at an end.

Passed April 8, 1896.

J. H. TIMKEN,

Chairman of the Council.

AN ORDINANCE, granting permission and authority to the North Hudson County Railway Company to change the motive power used on its railways and granting said company permission to use electric power as the propelling power of its cars on its railways, and to erect poles on certain roads, streets, avenues or places for the purpose of stringing wires thereon necessary to operate its railways with electric power and to lay and relay street railway tracks in certain roads, streets, avenues or places, and to construct, maintain and operate a street railway by the overhead electric system, and locating the tracks of the said street railway in said roads, streets, avenues or places, and determining and fixing the places at which poles shall be located in the said roads, streets, avenues or places to support wires for the purpose of conducting electricity for the propulsion of its cars upon all of its railways to be constructed, operated and maintained under the provisions of this ordinance.

BE IT ORDAINED by the Mayor and Council of the City of Hoboken and the said Mayor and Council of the City of Hoboken do hereby ordain as follows:

SECTION 1. That the permission and consent of the municipality of said City of Hoboken is hereby given to the said North Hudson County Railway Company and the said railway company be and it hereby is permitted and authorized to use electric power as the propelling power of its cars upon the following streets, avenues or places in the said City and upon which it is now operating or controlling a street railway, to wit: On Hudson place from the westerly line of the land now or late of the Hoboken Ferry Company, lying at the foot of Hudson place to Hudson street; on Hudson street, from Hudson place to Newark street; on Newark street, from Hudson street to Washington street; on Washington street, from Ferry street to Fourteenth street; on Fourteenth street, from Willow avenue to the westerly line of the land now or late of the Hoboken Ferry Company; on Willow avenue or street, from Fourteenth street to a point one hundred and fifty feet north

of fourteenth street; on Ferry street, from Washington street to the right of way of the North Hudson County Railway Company east of Hudson street, and thence on said right of way to the westerly line of land now or late of the Hoboken Ferry Company; on Newark street, from Washington street to Willow street or avenue; on Newark avenue, from Willow street or avenue to the right of way of your petitioner at the north end of Grove street; thence on said right of way to the City line; on Ferry street, from Paterson avenue to Washington street; on Paterson avenue, from Ferry street to the right of way of your petitioner leading to the elevator leading to Jersey City Heights, and along the said right of way to the Hoboken City line; on Willow street or avenue, from Ferry street to Fourteenth street; also connections with the car-house of said railroad company situate on Ferry street between Garden and Bloomfield streets; on Second, from Willow street or avenue to Marshall street; on Marshall street, from Second street to the right of way of said railway company leading to the old elevator; and permission and authority are hereby given to said railway company to relay all of the present railway tracks in the streets, avenues and places aforesaid, within new rails upon their present location of said streets, avenues and places, and so that the gauge of the said track shall be when relaid four feet eight and one-half inches, and when so relaid shall not project above the established grade of the said streets, avenues and places, nor above the surface thereof as the same are now or may be hereafter constructed and paved

SEC. 2. And be it further ordained that consent and permission are hereby given to the said North Hudson County Railway Company to construct, operate and maintain a single track street railway, to be operated by electric motors supplied with electric power from overhead wires strung on poles, said railway to be what is commonly known as a "trolley railway," the tracks of which shall be of girder rail construction on wooden cross ties, and to be constructed on the best and latest plans and

appliances governing the construction of such a system, on the following roads, streets, avenues and places in the said City, viz: On Clinton street, from Newark avenue to Eleventh street; on Eleventh street, from Clinton street to Willow avenue or street; on Hudson place, from Hudson street to River street; on Hudson street, from Ferry street to Hudson place, and that the railway tracks to be laid, constructed and maintained as aforesaid in the said streets, avenues and places, shall be so constructed that the gauge of said track shall be when laid four feet eight and one-half inches and shall not project above the established grade of said streets, avenues and places, nor above the surface thereof, when the same are constructed and paved.

SEC. 3. And be it further ordained that the location of the tracks of the said The North Hudson County Railway Company upon the routes above described and herein set forth, including the tracks to be relaid, shall be the same as shown and designated and described upon maps filed in the office of the City Clerk of the said City of Hoboken by the said North Hudson County Railway Company on the 23d day of September and the 14th day of October, 1896, and which said maps are lettered respectively A, B, C and D and are each signed by Charles B. Brush & Co., Engineers and Surveyors, maps A, B and C being dated respectively January 31, 1896, map D being dated October 14, 1896, and the said locations as they are therein and thereon set forth and designated are hereby fixed and determined as the true location of the tracks of the said railway company in the said roads, streets, avenues and places at which poles shall be located for the support of wires to conduct the electricity for the propulsion of cars within the limits of all of said roads, streets, avenues and places are hereby fixed and determined to be the place or places designated and described in and on the said maps for the location of poles, and reference is hereby made to the said maps for the more definite description of the same, and the said maps are hereby made a part of this ordi-

nance, and the said City Clerk is hereby ordered and directed to cause the said maps to be filed and directed as a part of the records of the said City of Hoboken and shall hereafter remain in his office of record. That the poles to be erected under the provisions of this ordinance shall be of tubular iron and shall be placed as shown upon the aforesaid maps inside of and abutting against the curb of said roads, streets, avenues or places, and shall not occupy, at any point above the surface of the sidewalks thereof, a space for each pole of more than ten inches in diameter. The foot of each pole shall be buried in the earth to a depth of at least four feet from the surface of said sidewalks and packed in concrete below said surface, and shall not extend in height from the established grade of any of the said roads, streets, avenues or places more than twenty-five feet nor less than seventeen feet, and shall stand, when wires are strung thereon, as nearly vertical as will be practicable, and all of said poles shall be of sufficient strength to withstand double the amount of strain to which they will be subjected. All wires, including span wires, trolley wires and feed wires, which shall be strung upon the said poles are to be strung in the following manner: The supporting or span wires shall be strung from opposite poles upon the said roads, avenues, streets and places, and shall be of galvanized twisted iron cable and fastened to each pole by substantial soft steel clamps, and shall be thoroughly insulated and at least seventeen feet above the established grade of the said roads, streets, avenues and places, and the same distance above intersecting streets, avenues or places. All feed wires shall be strung longitudinally from pole to pole to be thoroughly insulated and securely fastened to each of said poles by means of iron cross arms placed at the top of said poles and not less than twenty feet from the established grade of said roads, streets, avenues and places, and the same distance above intersecting streets, avenues and places, provided that where there is an artificial obstruction which shall prevent said feed wires

from being suspended the said distance above said grade and in the manner herein provided, then the same shall be suspended under such artificial obstruction and as near thereto as shall be found safe and convenient to the public travel on said roads, streets, avenues and places and the uses of said obstruction. All trolley wires shall be suspended from the span or supporting wires and placed over the centre of each set of tracks, switches, cross-overs and turnouts which may be laid in the said roads, streets, avenues and places herein designated, and shall be fastened to the said span or supporting wires by good and sufficient insulators and shall be at all points suspended as aforesaid at not less than seventeen feet above the established grade of said roads, streets, avenues and places and intersecting roads, avenues and places, provided that where there is an artificial obstruction which would prevent any of the said wires from being suspended the distance above the grade of the said roads, streets, avenues and places in the manner hereinbefore specified, then the same shall be suspended under such artificial obstruction and as near thereto as may be found safe and convenient to the public travel on said roads, streets, avenues and places and to the uses of the said obstruction. To each span wire there shall be attached a strain insulator with at least three inches take-up and at a distance not to exceed two thousand feet along the line there shall also be attached an additional insulator so as to furnish double insulation for the span wires at those points. All span wires shall be not less than three-eighths of an inch in diameter and of seven-strand galvanized steel wire.

All trolley wires shall be not less than O hard drawn copper and of not less than ninety-eight per cent. conductivity. The feed wires shall be supported on glass insulators and at all points where it is necessary to make joints or connections shall be wrapped with okronite or some other standard insulating tape equally as good. All anchor wires shall be No. 3 galvanized

Swedish iron sustained or connected by insulators, and the entire lines when finished shall present a neat and workmanlike appearance, and all poles shall rake evenly, wires shall be straight and free from kinks or bends, the span wires of a uniform sag, and all trolley wires pulled up tight.

SEC. 4. That in case of fire the Fire Department of the said City shall have the right, without notice, to cut or remove any of the aforesaid wires for the purpose of more readily and safely extinguishing any fire or fires in said City and that the said railway company will not make any claim upon the said City by reason of said wires being cut for the purposes aforesaid.

SEC. 5. The said railway company shall pave with Belgium block and keep and maintain in good repair all that part of the carriage way of the roads, street, avenues or places in which its tracks shall be laid laying between the outer rail of its tracks or track and to the extent of eighteen inches beyond said outer rail on each track, and said paving and all repairs thereof shall be laid with sharp sand. And the said railway company shall operate its road so that cars will be run without change and on regular intervals of time of not less than six minutes between the hours of six a.m. and nine p. m. between the ferries at the foot of Hudson place and Fourteenth street in said City.

SEC. 6. Be it ordained that the said North Hudson County Railway Company shall file with the City Clerk of the said City of Hoboken its acceptance of this ordinance within twenty days from the date upon which it shall be adopted.

Passed March 14, 1897.

EDW. OFFERMANN,

Chairman of the Council.

Approved April 19, 1897.

Attest:

M. V. McDERMOTT,

City Clerk.

AN ORDINANCE TO PROVIDE FOR THE APPOINTMENT OF A PARK KEEPER FOR ELYSIAN SQUARE.

The Mayor and Council of the City of Hoboken do ordain as follows:

1. That there shall be appointed by the Council annually a park keeper who shall have general care and control over the public square known as Elysian Square, under the superintendence of the Committee on Public Grounds and Buildings, and who shall receive the sum of seven hundred dollars per year for his services, payable monthly.

2. All ordinances and parts of ordinances inconsistent herewith be and they are hereby repealed.

AN ORDINANCE FIXING THE TAX RATE IN THE CITY OF HOBOKEN.

WHEREAS, An ordinance was duly passed by the Mayor and Council of the City of Hoboken in the year 1878 fixing the tax rate in the City at a rate not to exceed one and one-half per centum for municipal purposes, which ordinance was not written in the ordinance book at the time and has since been mislaid, and for the purpose of properly establishing the said tax rate,

The Mayor and Council of the City of Hoboken do ordain as follows:

1st. That the rate of taxation for municipal purposes in the City of Hoboken shall not exceed one and one-half per centum.

2d. That all ordinances and parts of ordinances inconsistent with the provisions of this ordinance be and they are hereby repealed.

AN ORDINANCE REPEALING AN ORDINANCE ENTITLED "AN ORDINANCE PRESCRIBING THE DUTIES OF THE POUNDKEEPER," APPROVED JULY 6, 1855, AND THE SUPPLEMENTS AND AMENDMENTS THERETO, AND REPEALING AN ORDINANCE ENTITLED "AN ORDINANCE TO APPOINT A POUNDKEEPER OF THE CITY OF HOBOKEN AND TO ESTABLISH A PUBLIC POUND IN SAID CITY," APPROVED JUNE 16, 1870, AND REPEALING AN ORDINANCE ENTITLED "AN ORDINANCE TO APPOINT A POUNDKEEPER, TO PRESCRIBE HIS DUTIES AND TO ESTABLISH A PUBLIC POUND IN THE CITY OF HOBOKEN," APPROVED FEBRUARY 2, 1876, AND PROVIDING FOR THE CONTROL OF THE PUBLIC POUND AND POUNDKEEPER BY THE BOARD OF HEALTH.

The Mayor and Council of the City of Hoboken do ordain as follows:

1. That the ordinance entitled "An ordinance prescribing the duties of the poundkeeper," approved July 6, 1855, and the several supplements and amendments thereto, and the ordinance entitled "An ordinance to appoint a poundkeeper of the City of Hoboken and to establish a public pound in said City," approved June 16, 1870, and the ordinance entitled "An ordinance to appoint a poundkeeper, to prescribe his duties and to establish a public pound in the City of Hoboken," approved February 2, 1876, be and the same are hereby repealed.

2. That the control and jurisdiction over the subject of the public pound and poundkeeper and all matters relating thereto be and the same are hereby vested in the Board of Health of the City of Hoboken.

3. That all ordinances and parts of ordinances inconsistent with the provisions of this ordinance be and the same are hereby repealed.

AN ORDINANCE TO LICENSE ANY PERSON OR PERSONS CONDUCTING OR INTENDING TO CONDUCT ANY SO-CALLED AUCTION, BANKRUPT OR FIRE SALES.

The Mayor and Council of the City of Hoboken do ordain as follows:

SECTION 1. That any person or persons, not bona fide residents of this City, conducting or intending to conduct any so-called auction, bankrupt or fire sales within the limits of this City shall file with the Clerk of said City a petition setting forth the name or names and residence of the person or persons who are the owners thereof, the manner of business intended to be carried on and the street number where such business is conducted or intended to be conducted.

SEC. 2. That the said Council, upon being satisfied that the person or persons so applying is or are fit and proper person or persons to conduct such sale, may, by resolution of the majority of the whole number concurring therein and approved by the Mayor according to the provisions of the City Charter, grant a license for the term of one year to the person or persons so applying for the same upon payment of the fees and costs hereinafter mentioned.

SEC. 3. The following fees and costs shall be charged to and paid by the person or persons applying for such license under the provisions of this ordinance, to wit: To the said City for said license the sum of one hundred dollars, and to the City Clerk of said City, for drawing such license, the sum of two dollars.

SEC. 4. That if any person or persons shall conduct or cause to be conducted within said City any such sale as set forth in the first section of this ordinance without having first obtained a license according to the provisions of this ordinance, shall be liable to pay a penalty of twenty dollars for each and every offense.

AN ORDINANCE TO VACATE THIRD STREET,
EAST OF RIVER STREET, IN THE CITY OF
HOBOKEN.

WHEREAS, The parcel of land about eighty (80) feet in length by seventy (70) feet in width, lying east of River street in the City of Hoboken, in a line with what would be Third street if extended, is wholly within the lines of property of North German Lloyd Dock Company, excepting where it adjoins River street, and the public of the City of Hoboken have no practical use or interest in the said extension;

Therefore, be it ordained by the Mayor and Council of the City of Hoboken, as follows:

1. That so much of Third street as exists east of the easterly line of River street be and the same is hereby vacated as a street.

2. This ordinance shall take effect immediately.

Passed April 10, 1901.

CHAS. SCHULTZE,
Chairman of the Council.

Approved April 22, 1901.

LAWRENCE FAGAN,
Mayor.

Attest:

JOHN HAGGERTY,
City Clerk.

AN ORDINANCE TO AUTHORIZE THE MAKING AND EXECUTING OF A CONTRACT ON BEHALF OF THE MAYOR AND COUNCIL OF THE CITY OF HOBOKEN WITH THE NORTH GERMAN LLOYD DOCK COMPANY, A CORPORATION OF NEW JERSEY, REGARDING THE BUILDING OF A PIER AT THE FOOT OF FOURTH STREET, EXTENDED.

WHEREAS, The North German Lloyd Dock Company is the owner of the lands under water in front of Fourth street, extended, in the City of Hoboken; and

WHEREAS, The said Company, in the rebuilding of its plant, recently destroyed by fire, finds it necessary by reason of the increased size of the steamships required by the necessities of modern ocean service and the necessities of its business, to have a wider water space between piers than was formerly required, and is desirous of building its northerly pier to the full width of Fourth street, extended; and

WHEREAS, It is advisable, in the general interests of commerce and the development of the business interests of the City of Hoboken, that all proper accommodation should be given to the said Company, consistent with the City's interest;

Therefore, be it ordained by the Mayor and Council of the City of Hoboken as follows:

That the Corporation Attorney be and he is hereby directed to prepare a contract, and the Mayor to execute the same in behalf of the City under the Seal of the City, and attested by the City Clerk, with North German Lloyd Dock Company, permitting said Company to build, erect and maintain upon its lands under water at the foot of Fourth street, extended, in the City of Hoboken, any buildings or piers or other structures necessary for the carrying on of its business,

and providing that it shall not be necessary to keep the said lands under water open as berths for vessels or otherwise.

2. This ordinance shall take effect immediately.

Passed April 10, 1901.

CHAS. SCHULTZE,
Chairman of the Council.

Approved April 22, 1901.

LAWRENCE FAGAN,
Mayor.

Attest:

JOHN HAGGERTY,
City Clerk.

AN ORDINANCE TO AUTHORIZE THE MAKING AND EXECUTING OF A CONTRACT ON BEHALF OF THE MAYOR AND COUNCIL OF THE CITY OF HOBOKEN WITH THE NORTH GERMAN LLOYD DOCK COMPANY, A CORPORATION OF NEW JERSEY, PROVIDING FOR A CHANGE OF LOCATION OF THE THIRD STREET SEWER OUTLET ALONG AND EAST OF RIVER STREET IN THE CITY OF HOBOKEN.

WHEREAS, The outlet to the Third street sewer has long been in a state of decay and a menace to health, and in need of reconstruction; and

WHEREAS, The North German Lloyd Dock Company is about to rebuild its piers and finds it necessary for the proper construction of said piers that the outlet to the said sewer should be removed further north, and for that purpose is willing to undertake the construction of the said outlet at its own cost and expense;

Therefore, be it ordained by the said Mayor and Council of the City of Hoboken:

That the Corporation Attorney prepare and that the Mayor, in behalf of the City, execute under the Seal of the City, duly attested by the City Clerk, an agreement with North German Lloyd Dock Company, providing that said Company may, at its own cost and expense, change the location of the Third street sewer and its outlet as follows: From a point in the Centre line of River street at its intersection with the present outlet sewer in Third street, and thence running northerly along the centre line of River street to a point about opposite the centre of Pier No. 2, distant about three hundred and twenty-four (324) feet south from the southerly line of Fourth street, and thence easterly and parallel to the southerly line of Fourth street, across the property of said Company to the tide water of the Hudson river. Said agreement to provide that the sewer, when so changed, shall be subject to the terms and conditions set out in the agreement bearing date June twelfth, eighteen hundred and sixty-six, between The Hoboken Land and Improvement Company and the Mayor and Council of the City of Hoboken.

2. This ordinance shall take effect immediately.

Passed April 10, 1901.

CHAS. SCHULTZE,
Chairman of the Council.

Approved April 22, 1901.

LAWRENCE FAGAN,
Mayor.

Attest:

JOHN HAGGERTY,
City Clerk.

AN ORDINANCE PROVIDING FOR THE EXECUTION OF A CONTRACT WITH THE NORTH GERMAN LLOYD DOCK COMPANY FOR THE DOCKING, BERTHING, LOADING AND UNLOADING ITS VESSELS.

WHEREAS, A grant of the lands under water in front of Hudson Park, extending one hundred (100) feet north of the northerly line of Fourth street, extended, has been heretofore made by the Riparian Commissioners of the State of New Jersey, for the purpose of docking, berthing, loading and unloading vessels upon or over the same, which said grant is held and owned by The North German Lloyd Dock Company, and said North German Lloyd Dock Company has acquired the rights in said lands under water of the Hoboken Land and Improvement Company, the owner of the fee of the soil in said Hudson Square or Park; and

WHEREAS, Said North German Lloyd Dock Company desire that a contract be entered into for the use of said part of said lands under water in front of Hudson Square for the purposes of docking, berthing, loading and unloading vessels, and in the judgment of the Mayor and Council of the City of Hoboken it seems wise and for the promotion of the business and laboring interests of the City to assist said Company in completing its plant as early as possible, and to that end that such a contract be entered into;

Therefore, be it ordained by the said Mayor and Council of the City of Hoboken as follows:

That the Corporation Attorney prepare and that the Mayor, in behalf of the City, execute under the Seal of the City, duly attested by the City Clerk, a contract with The North German Lloyd Dock Company, conveying to said Company the right to use the said lands under water for the purposes of docking, berthing, loading and unloading vessels, and to dredge out to a depth of water sufficient and suitable for that purpose, and to maintain

it at such depth of water, such right to continue for the period of nine hundred and ninety-nine (999) years; provided such company, their successors or assigns, shall maintain upon the lands adjoining said lands on the south thereof docks, wharves and piers suitable for docking, berthing, loading and unloading ocean-going vessels, said contract to contain a provision that no buildings or other structures shall be erected on the said lands under water in front of Hudson Park which shall in any way obstruct or interrupt the view or public access to the water from any part of said square or park.

2. This ordinance shall take effect immediately.

Passed April 10, 1901.

CHAS. SCHULTZE,
Chairman of the Council.

Approved April 22, 1901.

LAWRENCE FAGAN,
Mayor.

Attest:
JOHN HAGGERTY,
City Clerk.

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE GIVING CONSENT TO AND AUTHORIZING THE HOBOKEN RAILROAD, WAREHOUSE AND STEAMSHIP CONNECTING COMPANY TO MAKE, ERECT, MAINTAIN AND OPERATE A RAILWAY PROPELLED BY ELECTRICITY, ON CERTAIN STREETS AND AVENUES IN THE CITY OF HOBOKEN, AND ALSO TO ERECT POLES ON CERTAIN STREETS AND AVENUES IN THE CITY OF HOBOKEN, FOR THE PURPOSE OF STRINGING WIRES THEREON NECESSARY TO OPERATE ITS RAILWAY WITH ELECTRIC POWER."

WHEREAS, The Hoboken Railroad, Warehouse and

Steamship Connecting Company, and Campbell & Company, the owner of the property upon which the said railroad has its terminal south of Fourth street, have agreed to sell to North German Lloyd Dock Company a piece of land at the foot of Fourth street, which will be necessary for the contemplated improvements of said North German Lloyd Dock Company; and

WHEREAS, The sale of said land will necessitate the removal of said railroad from its present terminal to one adjoining the same upon the west thereof; and

WHEREAS, In order for said railroad to obtain access to its new terminal, it will be necessary to re-locate the line of said railroad over the southerly part of the paved roadway, and across the easterly end of Fourth street; and

WHEREAS, The same, in the judgment of this Council, will be for the benefit of the inhabitants of the City of Hoboken;

Therefore, the Mayor and Council of the City of Hoboken do ordain as follows:

1. That the consent of the municipality of said City of Hoboken is hereby given to the said Hoboken Railroad, Warehouse and Steamship Connecting Company, and the said Hoboken, Railroad, Warehouse and Steamship Connecting Company is hereby authorized to change the location of its railroad as follows:

Beginning at a point on the centre line of said railroad track of said Hoboken Railroad, Warehouse and Steamship connecting Company, as defined in an ordinance entitled "An ordinance giving consent to and authorizing the Hoboken Railroad, Warehouse and Steamship Connecting Company to make, erect, maintain and operate a railway propelled by electricity on certain streets and avenues in the City of Hoboken, and also to erect poles on certain streets and avenues in the City of Hoboken, for the purpose of stringing wires thereon necessary to operate its railway with electric power," approved October 30, 1895, said beginning point being distant 128.60 feet northerly at right angles from the southerly

line of Fourth street, extended, and 239.50 feet easterly at right angles from the easterly line of River street; thence running in a southwesterly direction and curving to the right on a circular curve with a radius of 150 feet, a distance of about 154.5 feet to a point in the southerly line of Fourth street, extended, distant 166.72 feet easterly from the easterly line of River street; thence southerly along private property.

The said track to be so constructed along said line to be a single track, and to the elevation of Fourth street where the described lines intersect the northerly line of Fourth street, extended, and from this point descending by uniform grade to meet the present levels of the track and street as they exist in front of the centre of Hudson Square Park.

The grade of the track south of the point where it crosses the northerly line of Fourth street, extended, to be level.

The surface of the street is to be properly restored and the track properly paved by said railroad company, and is to be laid with a guard rail on each rail of the track from the beginning of the curve southerly to the first pair of switches, and the said railroad company, at its own expense, is to do such other work as may be necessary to build the track on the lines proposed, and to make the street safe for traffic.

Poles for the support of wires, hangers, pull-offs, guys and anchors shall be located as follows:

There shall be one pole on the westerly side of the paved roadway in front of Hudson Square Park, twelve (12) feet north of Fourth street, extended; one pole on the northerly side of Fourth street, extended, thirty (30) feet west of the paved roadway; one pole at the northerly line of Fourth street, extended, adjoining the stone wall, forty-five (45) feet east of Hudson Square Park; one pole adjoining the said stone wall, twenty (20) feet south of the northerly line of Fourth street, extended, and another pole adjoining said stone wall, thirty (30) feet southwesterly from the last mentioned pole.

All of the same to be subject to the provisions and regulations of the said ordinance, to which this ordinance is an amendment.

2. This ordinance shall take effect immediately.

Passed April 10, 1901. .

CHAS. SCHULTZE,
Chairman of the Council.

I hereby certify that the above ordinance was passed by the Council of the City of Hoboken on the 10th day of April, 1901, was vetoed by the Mayor of said City, and was passed over the said veto on the first day of May, 1901.

Dated May 2, 1901.

JOHN HAGGERTY,
City Clerk.

Attest:

JOHN HAGGERTY,
City Clerk.

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—TO—

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—OF THE—

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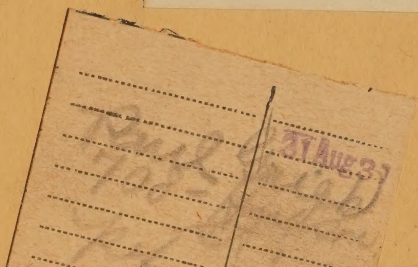
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